

**BIRMINGHAM CITY COUNCIL**

**REPORT OF THE DIRECTOR OF REGULATION AND ENFORCEMENT  
TO THE LICENSING AND PUBLIC PROTECTION COMMITTEE**

**TUESDAY 9 APRIL 2019**  
**LADYWOOD**

**CONTROL OF SEX ESTABLISHMENTS - SEXUAL ENTERTAINMENT VENUE,  
PARADISE CITY, 193 – 194 BROAD STREET, BIRMINGHAM B15 1AY**

1. Summary

- 1.1 Birmingham City Council's Sexual Entertainment Venue Policy became effective from 1<sup>st</sup> November 2014.
- 1.2 An application has been received for the grant of a Sexual Entertainment Venue (SEV) Licence from Parma (Midlands) Limited in respect of premises to be known as Paradise City, 193 – 194 Broad Street, Birmingham B15 1AY.
- 1.3 At the time of writing this report there are 7 SEV licences granted to premises within Birmingham 6 of which are granted to other venues located within the area bounded by the ring road (A4540).
- 1.4 If having considered the application and objections received the Committee resolve to grant an SEV licence in respect of Paradise City, 193 – 194 Broad Street, Birmingham B15 1AY then there would be 7 SEV licences in force within the area bounded by the ring road (A4540).
- 1.5 As stated in Birmingham City Council's SEV Policy the Council considers that the part of the City which falls within the ring road (A4540) is an area which is appropriate to have an upper limit guide on the number of SEV's the appropriate upper limit being eight.

2. Recommendation

- 2.1 That Committee consider and determine the application for the grant of a Sexual Entertainment Venue licence in respect of Paradise City, 193 – 194 Broad Street, Birmingham B15 1AY having considered the objections received and having regard to the options contained in paragraph 6.1 of the report.

Contact Officer: Emma Rohomon, Acting Head of Licensing

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Originating Officer: David Kennedy, Principal Licensing Officer

### 3. Background

- 3.1 An application has been received from Parma (Midlands) Limited for the grant of a Sexual Entertainment Venue Licence in respect of the premises to be known as Paradise City, 193 – 194 Broad Street, Birmingham B15 1AY. A copy of the application is attached at Appendix 1.
- 3.2 The applicant has submitted a photograph showing the proposed external scheme of the premises. A copy of which is attached at Appendix 2.
- 3.3 The proposed hours of operation being 24 hours a day Monday to Sunday.
- 3.4 The nature of the entertainment as described on the application form is lap dancing, pole dancing, table dancing, strip shows, erotic & exotic dancing, burlesque dancing. The applicant has confirmed the relevant entertainment will involve semi and full nudity.
- 3.5 The applicant has submitted a copy of Paradise City's proposed Etiquette & Club House Rules. A copy of which is attached at Appendix 3.
- 3.6 A plan of the premises detailing where the Sexual Entertainment will take place is also part of the application procedure. A copy of which is attached at Appendix 4.
- 3.7 The applicant has also submitted additional documents in support of the application, which whilst not included in the body of this report due to the size. The documents will be published as an additional document entitled "Applicants Supporting Evidence Bundle."

### 4. Consultation

- 4.1 The applicant was required to advertise the application in a local newspaper, post a notice outside of the premises for a period of 21 days and serve a copy of the application to the Chief Officer of Police.
- 4.2 In addition upon receipt of an application the Licensing Section consults with the West Midlands Police and the Licensing Enforcement Teams and also notifies the appropriate Ward Councillors.
- 4.3 West Midlands Police have lodged an objection to the grant of a licence. A copy of which is attached at Appendix 5.
- 4.4 Licensing Enforcement have lodged an objection to the grant of a licence. A copy of which is attached at Appendix 6.
- 4.5 Westside Business Improvement District (BiD) have lodged an objection to the grant of a licence. A copy of which is attached at Appendix 7.
- 4.6 A copy of the Council approved standard conditions for Sexual Entertainment Venue licences are contained within the current Sexual Entertainment Venue policy a copy of which is attached at Appendix 8.

- 4.7 Location plans, including a plan showing the proximity of the other existing licensed Sexual Entertainment Venues to the premises, are attached as Appendix 9.
- 4.8 The applicant and representatives of West Midlands Police, Licensing Enforcement Team and Westside BiD have been invited to attend the hearing in order to respond to any questions members may have.

5. Matters for Consideration

- 5.1 When considering an application for the grant of a licence, the Committee should have regard to any observations submitted to it by the Chief Officer of Police and any objections that the Licensing Authority has received from anyone else within 28 days of the date of the application.
- 5.2 Subject to any new information produced at the hearing it does not appear that any of the mandatory grounds of refusal apply to the application currently due for consideration. For example, a licence shall not be granted to a person who is under the age of 18 or who has had a previous application for the same premises refused within the last 12 months.
- 5.3 The only discretionary grounds upon which the Council may refuse an application are those grounds specified in Schedule 3 paragraph 12(3) of the Local Government (Miscellaneous Provisions) Act 1982 as amended:
- a) that the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or any other reason;
  - b) that 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 of such a licence if he made the application himself;
  - c) that the number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for that locality;
  - d) that the grant or renewal of the licence would be inappropriate, having regard:
    - (i) to the character of the relevant locality; or
    - (ii) to the use to which any premises in the vicinity are put; or
    - (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

## 6. Options Available

### 6.1 The Committee may:

6.1.1 Grant the application as it stands in which case the licence will be renewed subject to the Council approved Standard Conditions.

6.1.2 Grant the application as it stands subject to the Council approved Standard Conditions unless they have been expressly excluded or varied and/or other Specific Conditions or restrictions that the Committee deem reasonable, necessary proportionate and justifiable.

6.1.3 Refuse the application on one or more of the grounds as outlined in paragraph 5.3 above.

## 7. Right of Appeal

7.1 An applicant has a right of appeal to the Magistrates Court against decisions to refuse to grant, renew, vary or transfer a licence, the imposition of conditions or the revocation of an existing licence.

7.2 It should be noted that although no right of appeal lies against a decision made on the discretionary grounds set out in paragraphs 5.3(c & d) above, the applicant could challenge a refusal on the aforementioned grounds by way of a judicial review.

## 8. Implications for Resources

8.1 At the time of the application being submitted a fee of £6,864 was payable for the grant of a Sexual Entertainment Venue licence, if the application is subsequently refused then 50% of the fee will be refundable.

8.2 In the event of an appeal hearing, the Magistrates power to award costs derives from Section 64 of the Magistrates Courts Act 1980 which entitles them to make such order as they think just and reasonable.

## 9. Implications for Policy Priorities

9.1 The application that is the subject of this report should be considered in accordance with the published Birmingham City Council Sexual Entertainment Venue Policy.

## 10. Public Sector Equality Duty

10.1 No specific implications have been identified.

## **DIRECTOR OF REGULATION AND ENFORCEMENT**

Background Papers: Nil



## SEX ENT 1.5

Fair Processing Statement – Any personal data held by Birmingham City Council in relation to your application for a Licence to use a premises, vehicle, vessel or stall as a Sexual Entertainment Venue, will be held in full compliance with the legal obligations as set out in the Data Protection Act 1998. This is in accordance with the Council's Privacy Policy; a copy is available on the Council's website: [www.birmingham.gov.uk/privacy](http://www.birmingham.gov.uk/privacy). To protect the public fund we may also use the information you have provided on this form to prevent and detect fraud. We may share this information for the same purposes with other Council Departments and organisations for example, other councils and the police.

## BIRMINGHAM CITY COUNCIL

## SCHEDULE 3 OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

**Application for a Licence to use any Premises, Vehicle, Vessel or Stall as a  
Sexual Entertainment Venue**

***All questions must be answered, save where otherwise stated. If relevant questions are not answered, the application will be deemed incomplete and will be returned to the applicant.***

**Section 1****Application details:**

Is this licence for the: Grant ☒ Renewal ☐ Transfer ☐

Is the application made by: an individual ☐ a partnership or other unincorporated body ☐  
a company or other corporate body ☒

**Section 2*****Answer only if Applicant is an individual***

What is the full name of the individual?.....

Permanent Residential Address.....

Any former names .....

Date of Birth ..... Place of Birth.....

Date Became Resident in the UK..... or E.U Member State .....

National Insurance Number or E.U Member State Equivalent. ....

Telephone Number (during normal office hours) .....

Email Address:.....

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

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

Yes ☐ No ☐ If "yes" to what extent .....

Is the whole business owned by the applicant?

Yes ☐ No ☐

BCC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED  <b>23 NOV 2018</b>  REF-NO. <u>91016864.00</u> INITIALS <u>hw</u>
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**Section 3*****Answer only if the Applicant is an unincorporated body or a partnership***Full Name of Applicant  
.....

What are the names of the applicant's partners? Please complete the table below:

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 or other E.U member state

Are there persons responsible for the management of the Applicant other than the partners? If so state their names.  
.....  
.....  
.....Please confirm if the whole of the business is owned by the applicant? Yes ☐ No ☐

**Section 4.*****Answer only where the applicant is a company or other corporate body***

What is the name of the Applicant?.....PARMA (MIDLANDS) LIMITED.....

Has the Applicant previously been known by any other name and if so what name?  
.....

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

What is the registered number of the Applicant?.....11164703.....

What is the registered office address?

In which country is the company incorporated? UK.....

What is the date of incorporation of the company? 23<sup>rd</sup> JANUARY 2018.....

Please complete the table in respect of each of the Directors, the Company Secretary or other persons responsible for the management of the body.

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 or other E.U member State
MR DANIEL PARMA			
MR GARY RAYMOND BROWN			

**SEX ENT 1.5**

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

What is the Applicant's trading address?.....  
193-194 BROAD STREET, BIRMINGHAM, B15 1AY

Please confirm if the whole of the business is owned by the applicant? Yes ☒ No ☐

**Section 5**

***All Applicants***

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

First Name.....GARY..... Surname.....BROWN.....

Former Name (if any) .....

National Insurance Number or E.U Member State Equivalent.....

Permanent Address: .....  
.....

Date of Birth: ..... Place of Birth.....

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

Mr Daniel Parma was involved in management of former Legs 11 premises at Broad Street and Ladywell Walk in Birmingham

Mr Gary Brown was the DJ at the former Legs 11 premises at Ladywell Walk Birmingham

Ms Ruxandra Niculescu was the DPS at the former Legs 11 premises at Ladywell Walk Birmingham

**Section 6****Premises details:**

Is this application in respect of: Premises ☒ Vehicle ☐ Vessel ☐ Stall ☐

Is the premises, vehicle, vessel or stall in use for sexual entertainment 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.....

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

193-194 BROAD STREET, BIRMINGHAM, B15 1AY

If the application is in respect of a vehicle, vessel or stall, please state where it is to be used as a sexual entertainment venue.....

Under what name is, or will the premises be known?

PARADISE CITY

Is the whole of the premises 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

b) the use to which the remainder of the premises are to be put

c) the names of those responsible for the management of the remainder of the premises

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

a) Head-lease ☒ Sub-lease ☐

b) the name and address of the landlord and of the superior landlord where applicable

c) the length of the unexpired term ...Expires 12 April 2024..

**Section 7.****Proposed operation times and activities**

Give the times it is proposed to operate the Premises for the purpose of this Licence;

<u>Day</u>	<u>Start</u>	<u>Finish</u>	<u>State any seasonal variations or non standard timings where you intend to use the Premises, which are different to those listed in the column on the left.</u>
Monday	00:00	24:00	
Tuesday	00:00	24:00	
Wednesday	00:00	24:00	
Thursday	00:00	24:00	
Friday	00:00	24:00	
Saturday	00:00	24:00	
Sunday	00:00	24:00	

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

LAP DANCING, POLE DANCING, TABLE DANCING, STRIP SHOWS, EROTIC AND EXOTIC DANCING, BURLESQUE DANCING, SEMI AND FULL NUDITY

Please confirm if the relevant entertainment involves full nudity   x   Yes   ☐ No

**Section 8.****If the application is for the Transfer of a Premises Licence**

Name of current Premises Licence Holder

Please give the reason/s for the transfer application

**Section 9.**

**Section 9.**

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 of unspent convictions below:

**Convictions:**

Forenames	Surname	Former Name (if any)	Court	Date	Offence	Penalty or Sentence

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

## SEX ENT 1.5

Been disqualified from holding a licence for a sex establishment?	No
Been refused the grant / renewal / transfer of a licence for a sex establishment?	No
Been the holder of a sex establishment licence when that licence has been revoked?	No
Been associated in any way with any other application for a sex establishment licence?	Yes
If 'Yes' to any of the above please provide details:	
<p>See generally above</p> <p>Mr Daniel Parma was involved in management of Legs 11 premises in Birmingham at Broad Street and Ladywell Walk</p> <p>Mr Gary Brown was the DJ at the former Legs 11 premises at Ladywell Walk Birmingham</p> <p>Ms Ruxandra Niculescu was the DPS at the former Legs 11 premises at Ladywell Walk Birmingham</p>	

Is there any information in this application which you would **not** wish to be seen by members of the public?

Yes x No ☐

If yes, state which information and the reasons why you would **not** wish it to be seen

Home addresses of those involved in management of the premises

.....

.....

.....

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

See generally accompanying summary and documentation including management structure

Condition 33. Locks are removed from all dance areas, but the applicants wish to be able to lock the VIP Lounge (as shown on second floor on the plan supplied herewith) at all times when the Room is not in use. It would be unlocked when it is in use. This is because the room contains a bar area which would otherwise need supervising at all times if the room has to be left unlocked

.....

(If necessary, please continue on a separate sheet)



# SEX ENT 1.5

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

I have made or enclosed payment of the fee ☒

Please check the following link for details of the cost of your application:-

<http://www.birmingham.gov.uk/licensingfeesandcharges>

I have enclosed a plan showing the interior layout of the premises and where relevant entertainment will take place for consideration by the Licensing Authority ☒

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

I have enclosed a scheme showing the exterior design for consideration by the Licensing Authority ☒

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. ☒

I understand that I must now advertise my application on or near the Premises for 21 days starting with the date of the 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 in 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 the conditions of Licence for a Sexual Entertainment Venue made by Birmingham City Council in accordance with Section 2 Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 should my application be granted.

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.

Signature .....

Name of Signatory GARY BROWN

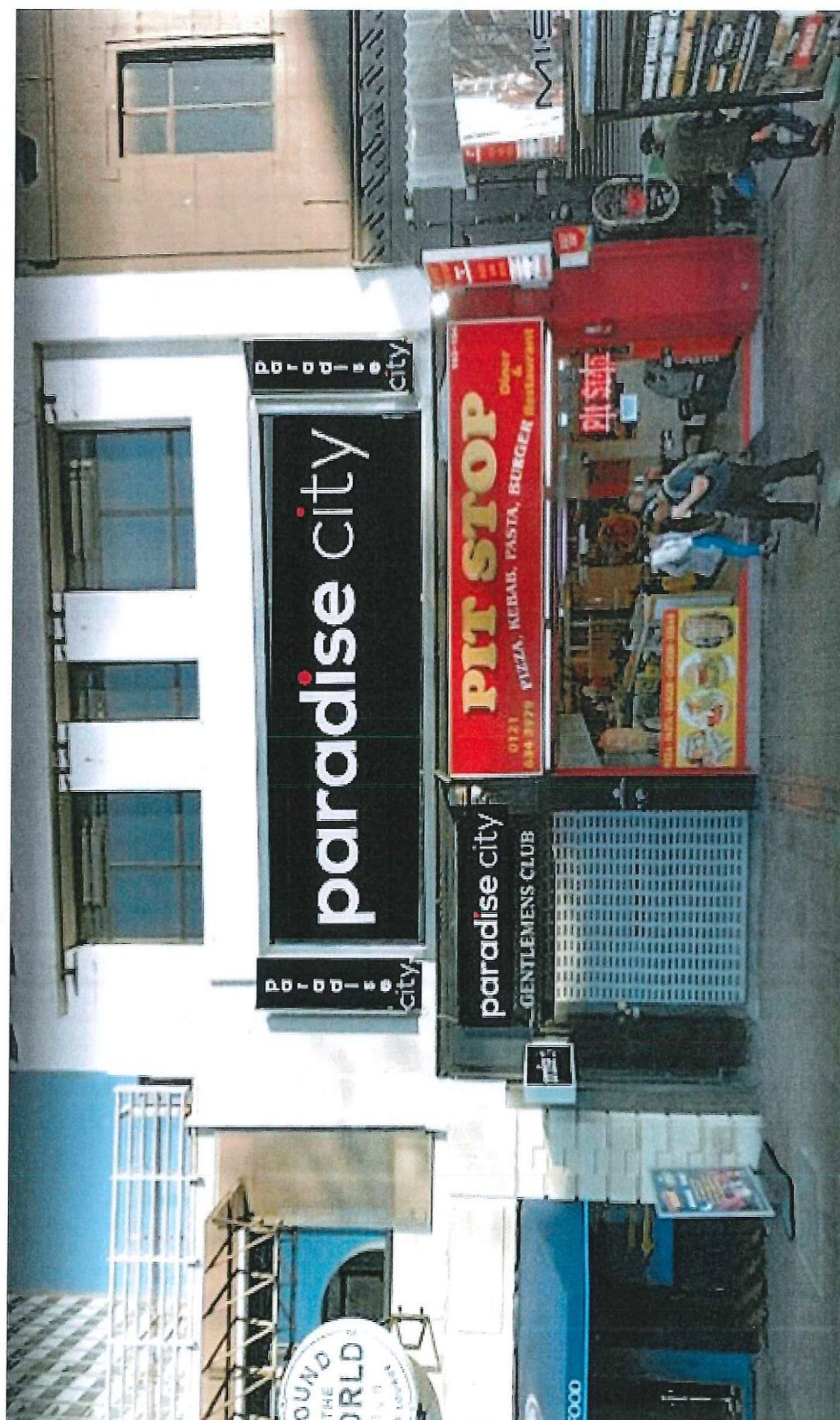
Designation of Signatory DIRECTOR

Date 13/11/18

DANIEL PARMA

DIRECTOR

13/11/18





# Etiquette & Club House Rules Book

Please take time to read your introduction pack.

It may help you feel more confident on your first shift, if you know a little about Paradise City.

Any questions you may have after reading it can be discussed with any of the management team.

Good luck we hope you'll settle in quickly and enjoy your time at Paradise City.



## WHAT MAKES A GOOD LAP DANCER

### PLEASE DO THIS:

- Greet customers in a warm and friendly manner, a smile works wonders.
- You are an entertainer and you are on show as soon as you are in the club
- Make sure your appearance is immaculate, Hair, Nails, Make Up, Dress etc.
- Show self-confidence (Even if you don't feel it)
- Have a sense of humour
- Pay full attention to the customer at all times, A conversation is often more important than the dance and it helps the customer to relax and makes them feel that they are more than just a £20.00 note.
- These may sound like obvious attributes, but when you're tired or fed up, you cannot let this affect your work or dancing performance.
- The customer is expecting the above and if you can't deliver, you can't earn.
- Do not; give the impression that you are too busy to talk.
- Do not; show a negative attitude.
- Do not; neglect your appearance.
- Do not; talk about other girls, customers or the club in a negative way.
- Do not; argue with customers or other dancers.
- Do not; talk about your private life.
- Do not; moan or complain unnecessarily about customers or other dancers.
- Do not; approach a customer as soon as he walks through the door.

### THE LAP DANCE EXPERIENCE

- A lap dance is a personal experience for both the customer and yourself; the customer should feel that you are only interested in them.
- Please make sure you get paid before you start a dance.
- The customer may not have the money or may refuse to pay.
- **GETTING PAID IS YOUR RESPONSIBILITY.**
- A good dancer will hold eye contact for as much of the dance as possible, follow your hands with your eyes and then back to the customer.
- Do not look around the room for your next customer whilst doing your dance.
- Ladies are using lap dancing clubs more and more with their partners, you should treat them with the same courtesy and professionalism as our male clientele. They appreciate a good female body as much as a man and are often quite intrigued by your dancing. They are paying customers, the same as men, please make them feel welcome.
- There are clocks in the dance rooms, discreetly check the time; do not keep checking your watch.



### THE APPROACH

- Allow the customer to come in buy a drink and pay for it before you approach him.
- Approach the customer with a smile and ask if you can join them.
- Introduce yourself with a handshake.
- Make polite conversation if the time allows.
- After 3-5 minutes of chat ask the customer if they would like you to dance for them, if they say no, ask is there anyone else that they would like to talk to or have a dance from, if he points someone out, let them know and move onto the next customer. This is dancer etiquette; remember another dancer will do the same for you if you show them this courtesy.
- If a customer says that they don't want a dance, do not be rude or pass comment, be polite, be professional and move on.
- When you finish, give them a kiss on the cheek and say goodbye and thank you.
- Sit down and put your clothes back on, then either chat or leave the dance area, do not leave the customer sitting unattended in the dance room.
- You can still refer the customer to another dancer at the end of your dance if you wish, if he does not want another dance from you straight away.
- Your dance is only three minutes long, so with the chatting at the beginning and the end, you are only spending about 10 minutes with each customer.

### THE DANCE

- This is a chance to showcase yourself.
- Make your stage show sexy, exciting, entertaining and erotic.
- You'll secure a few dances from customers who see your routine.
- You are performing to an audience and your aim should be to get their attention.
- You know what the customers want to see, sexy, erotic, fun and approachable girls.
- Impress them on stage and its money in the bank.
- Many of you have two girl routines, you should practice them continuously; this is great if you are worried about being on stage alone.
- An unrehearsed routine however, looks bad and won't earn you any money.
- The more effort you put in the more you will get out.
- You will be introduced by the DJ, walk on stage with confidence and a smile.
- Act sexy, make eye contact with individual customers to make them feel special.
- Perform your pole tricks with as much sex appeal as possible.
- Wear sexy outfits.
- Use the whole of the stage during your show.
- Never go through the motions because you have to.
- Never try new tricks on the pole without a rehearsal.
- Dancers who earn well, take pride in their appearance and their job.
- This means constant practice and close attention to detail.
- Follow these simple rules and you should earn good money.



### DRESS CODE

- All dancers should wear dresses until midnight unless prior agreement with the management, for example themed nights.
- These should not be transparent and should not be short in length.
- No bikini style outfits with matching shorts should be worn.
- Please ensure that your dresses / outfits are clean and well presented.

### DRESSING ROOM ETIQUETTE

- Please keep the dressing room clean and tidy, put rubbish in the bins.
- If bottles and glasses are taken into the dressing room, please take them back out when you leave.
- Please do not leave your valuables like money, mobile phones etc. on display, they are your responsibility, please use the lockers provided.
- Do not borrow items from the other girls without their permission, as it will cause unnecessary friction.
- Security cameras are installed through the building for your security and protection.

### CUSTOMERS

- It is strictly forbidden for dancers to fraternise with Paradise City customers.
- Telephone numbers must not be exchanged with customers.
- The club considers this a serious offence, if a card is given out by a customer, for example folded up in a note, it must be seen to be disposed of to avoid unnecessary action.
- Dancers at Paradise City should never arrange to meet customers after work.
- You should never receive money from a customer on the understanding that you will meet him outside the premises even if you have no intention of doing so, this is procuring money by deception or procuring money for sex both are illegal and will never be tolerated by the club.



### ALCOHOL AND DRUGS

- Drugs will not be tolerated.
- Dancers may drink in moderation
- Dancers are requested not to carry or drink from a bottle, use a glass.
- Any dancer suspected of being drunk will be sent home.
- There are those of you who can drink all night without it showing, and there are those that can't; you know who you are.
- Never drink so much that you are not in control of your dance and your customer; if you're drunk you may not think you're slurring your words and stumbling, but chances are, you probably are.
- There is nothing more unattractive than a girl who is drunk. This is a fantasy and you are supposed to be their ideal woman.
- No one wants a drunk slurring woman to dance or talk to them.
- Please limit your alcohol intake or you will be sent home.

### PARADISE CITY WILL NEVER TOLERATE DRUG USE.

- Anyone caught using, supplying or believed to be under the influence of drugs will be sacked without hesitation.
- We are not prepared to risk everyone's jobs for the sake of a few who put the license of Paradise City in jeopardy if you bring drugs into the club.
- If you are found to be in possession of a controlled drug. You will be dismissed with immediate effect.
- If you are found to be in possession of drugs with intent to supply to assist in the supply or distribution of controlled drugs, you will be dismissed with immediate effect and the police will be called.
- We appreciate that you do a difficult job, but if you need drugs to get you through, then you need to re-assess your choice of work.

### PARADISE CITY OPERATES A ZERO TOLERANCE POLICY TOWARDS DRUGS

### PAYMENT OF FEES & DISCIPLINARY PROCEDURE

- House fees must be paid on arrival.
- Receipts for house fees and any additional charges are provided by management.
- Breaching the club rules will result in disciplinary action being taken and may result in instant dismissal from the club.
- Breaching the standard conditions of our license (which you will be made aware of on your induction) will result in dismissal from the club.





### DANCES

- A dance will last for one song (approximately 3 minutes).
- The customer is not allowed to touch the dancer, politely tell the customer to stop or you will end the dance if he / she continues.
- If the customer requests you to continue for another dance, you must replace your G string before you continue into the next song and any other subsequent songs.
- Chewing gum whilst working is not permitted
- When using mobile phones whilst in the club please use the designated areas.
- You are not allowed to use a mobile phone in view of customers.

### OTHER ISSUES

- No one should leave the club without a member of management being made aware.
- Dancers for their own security will be escorted to their cars at the end of a night or be seen getting to a pre booked taxi by one of the management or security.
- You must not have your boyfriend / husbands in the club when you are working.

### CUSTOMERS, COMMENTS AND BEHAVIOUR

- It is unacceptable for customers to be rude to you, the reverse also applies.
- Do not swear at customers, walk away and let management or security handle the problem.
- If you have a problem with a customer, please inform management or security and let them deal with it.
- You should not attempt to deal with it yourself as it can make the situation far worse.
- If you are in any of the private rooms and feel unable to deal with a customer, either leave the room and report it to management or security failing that use the wall mounted panic alarm.
- Do not put yourself at risk.





[illegible]

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**From:** bw licensing <bw\_licensing@west-midlands.pnn.police.uk>  
**Sent:** 13 December 2018 14:24  
**To:** Licensing  
**Cc:**  
**Subject:** Sev - application 193-194 Broad Street

Dear Birmingham City Council Licensing authority –

Reference – SEV application by Paradise City (193/194 Broad Street) by Parma (Midlands) limited

West Midlands Police have received the SEV application submitted for a premise called Paradise City to be located at 193/194 Broad Street.

These premises used to be called Legs 11, which was a premise that benefited from an SEV licence as well as a premise licence issued under the Licensing Act 2003. They operated as a lap dancing venue.

The SEV policy for Birmingham City council sets out the relevant grounds for an objection to be lodged. West Midlands Police base this objection under the following grounds –

- The applicant is unsuitable to hold an SEV licence
- That the SEV, if granted would be carried on for the benefit of person/s who would be refused an SEV licence if they had applied themselves.

The SEV policy also indicates mandatory and discretionary grounds that the licensing committee can refer to, to refuse any such application.

In the discretionary grounds it states

- the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reasons;
- 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/she made the application himself/herself;

The basis of the objection by West Midlands Police falls under the above criteria and for the following reasons.

As stated previously these premises used to be called Legs 11, which was a premise that conducted activity under an SEV licence. The SEV licence and the premise licence under the licensing act 2003 were both revoked in 2017.

At the time Legs 11 was being run, it was being operated by a company called “Clear Blue Sky thinking limited”. At the time when the premise was being operated “Clear Blue Sky thinking limited” had two directors, a Thomas Taylor and Sidney Taylor.

The DPS under the premise licence was an Edmund Haxhia.

Due to complaints being received through Action Fraud and to the licensing authority enquiries were made through 2017 into the running of the venue and its operations.

During these investigations it was discovered that another company called “Take it back limited” was also involved in the operational control of the premise, as they were taking all the payments from the debit/credit card PDQ machines as well as.

West Midlands Police are also aware that the public liability insurance held for both Legs 11 Broad Street and Ladywell Walk, was taken out by companies controlled by a Daniel Parma. The insurance for Legs 11 Broad Street, was taken out by Take it back ltd which as described below is a company with Parma as the sole director. The Ladywell Walk premises was taken out by Dansid Limited.

Both insurance policies have the name of the insured as "Take it back ltd t/a as Legs 11" for Broad Street and "Dansid ltd t/a as Legs 11" for Ladywell Walk.

From a Companies House search "Take it back limited" and "Dansid Limited " are still shown as active companies. Micro accounts have been filled for both companies, Take it Back Limited were completed on the 29<sup>th</sup> March 2018 and Dansid limited on the 30<sup>th</sup> Nov 2017, with the nature of the business described as Licensed Clubs.

The sole director of these companies is called Daniel Parma. Parma was not mentioned on any previous application for Legs 11, although it was and still is very clear that he was involved in the premises as he was taking payments through the PDQ machine and obtaining insurance for both premises.

West Midlands Police strongly believe that Parma was the main person behind the running of Legs 11, even though he was not mentioned on any application. When officers conducted a visit at Legs 11 Ladywell Walk, after the closure of the Broad Street premises they were greeted by staff and when asked who was in charge directed officers to Parma.

This is reinforced with the details surrounding the public liability insurance and this evidence shows the level of control that Parma had on the premises although this was not reflected in any of the licenses issued to either of the premises.

The involvement of Parma and the way Legs 11 Broad Street was run that ultimately led to the revocation of the SEV license and Premise licence is very significant. Through 2017 investigations took place in relation to alleged sexual activity being offered to patrons in the premises. Officers seized CCTV to investigate the complaints, during which time evidence was discovered that corroborated complaints that had been received around fraudulent activity of customer credit/debit cards.

From 2013 complaints has been received that customers were having very large sums of money taken from bank accounts, after visiting the premises. In the early part of 2017 there had been 4 such reports where the total taken had reached £23,965.

By the time these complaints had been received, the delay in the processing meant that the CCTV was not available to corroborate the allegations. Customers had to deal with telling family members, the potential embarrassment and stress which compounded the delay in the process.

One customer in 2017 had £9,000 taken from his account. The day after visiting the premises he bought a home drugs testing kit, which indicated that he had Methadone in his system, a drug he had never taken.

This was not the first time such allegations were made, a common theme of the complaints was that customers did not remember anything of the night and concluded that they had either been drugged or had been given large volumes of alcohol.

It was when officers were reviewing the cctv that officers saw evidence of numerous people who appeared to be very drunk, or under the influence of other substances in the booths. In most cases they were encouraged to drink more by the dancers. The CCTV showed where drunk customers would hand over cards for the PDQ machines who were not in control of what they were doing.

Whilst it is not sure if any of the persons seen on the CCTV were those who had reported any offences to Action Fraud, West Midlands Police were satisfied that is corroborated evidence from previous reports.

West Midlands Police are also aware that officers from the local authority conducted a test purchase at the premises and were offered sexual activities as an extra payment, which is contrary to what is permitted within the confines of the SEV license.

Any factor of the complaints was the fact customers were offered "extra" services behind closed doors that would be locked.

It is noted that part of the current application seeks to allow for a room to be locked, which an explanation that it was for security reasons. This is doubted by West Midlands Police as previously the premises were found with locks on doors, and there is direct evidence from an operation about officers being offered "extra" services as well as the complaints from patrons.

What this shows is that this was a very badly run premises, that was exploiting customers who had been to the premises, putting their safety at risk all for financial gain. One of the key names involved in the premises when this activity was taking place was Daniel Parma.

The new application has been put in by a private limited company, which was incorporated on the 23<sup>rd</sup> January 2018. At the time the company was incorporated Daniel Parma was the sole director. On the 29<sup>th</sup> October 2018 another director called Gary Brown was also appointed.

On the 10<sup>th</sup> October, the solicitor who has lodged this application stated to West Midlands Police that he had been appointed by his client Daniel Parma to ask for a meeting to look at opening a new lap dancing club. It is noted that West Midlands Police declined the invitation, however it is not seen as insignificant that after the meeting was declined by West Midlands Police another person was added as a director.

The new application does state that Parma was involved in the management of the Legs 11 for both Broad Street and Ladywell walk, although it makes no mention of the company that was taking the payments from the PDQ machines.

In the supporting paperwork submitted with the application it shows under tab 9 a management tree, again it is not seen as insignificant that Parma does not appear on this tree, a similar situation to what was happening when the premises operated as Legs 11. Evidence has already shown that Parma was the controlling figure and West Midlands Police believe the same would happen again if this licence was granted.

The new grant application has also demonstrated the link between the old Legs 11 and the new proposed premise.

In the application it names 3 persons on page 4, who they state have been involved in other applications for SEV establishments. All 3 have been involved under the previous name of Legs 11, both Broad Street and Ladywell Walk. Although Ruxandra Niculescu is not listed in the application she is part of the new proposed senior management team as documented in the supporting bundle.

Mr Gary Brown is a late addition into the management team, although he is seen as a smoke screen to deflect attention away from Parma, who was so explicitly involved in the financial management and control of Legs 11.

Under tab 9 in the supporting bundle it names the door supervisors as Zviad, with his biography in the paperwork. In this documentation it shows that Zviad was the door supervisor for Legs 11 Broad Street from 2014 until it was closed in 2017.

- All of this indicated to West Midlands Police that the new proposed operation seeks to replicate the old Legs 11, they have a number of the same people involved at the time when these premises were shown to be operating not in accordance with their SEV licence, exploiting customers through drink and/or drugs to maximise financial gain, as well as conduct fraudulent activities.

West Midlands Police therefore object to this application, on the grounds the applicant is not suitable, for the reason pointed out above; and/or if it is the point that the application purports Brown to be main operator that this

would not be the case and that the premises would be operated for Parma who would be the main controlling figure.

West Midlands Police therefore request a hearing for this application

Kind regards

**Abs Rohomon**

**PC 4075 Rohomon  
BW Licensing  
Police headquarters  
Lloyd House  
Colmore Circus  
Birmingham  
B4 6NQ**

**Internal : 801 1631  
External : 0121 626 6099**

**Follow us on Twitter - @brumcopslicensing**

**West Midlands Police  
Tel. 101 Ext 8011627**

**Email: [a.rohomon@west-midlands.pnn.police.uk](mailto:a.rohomon@west-midlands.pnn.police.uk)  
Website: [www.west-midlands.police.uk](http://www.west-midlands.police.uk)  
Twitter: [www.twitter.com/brumpolice](http://www.twitter.com/brumpolice)  
Facebook: [www.facebook.com/westmidlandspolice](http://www.facebook.com/westmidlandspolice)  
YouTube: [www.youtube.com/westmidlandspolice](http://www.youtube.com/westmidlandspolice)**

**Vision statement - Serving our communities, protecting them from harm**

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**From:** Christina McCullough  
**Sent:** 20 December 2018 13:18  
**To:** Licensing  
**Subject:** SEV Representation - Paradise City  
**Attachments:** SEV representation Paradise City.pdf

Please find attached a representation in relation to the application for a SEV Licence at 193-194 Broad Street.

On behalf of Licensing Enforcement I wish to lodge my objection to the grant of the above licence.

Christina McCullough  
Licensing Enforcement Officer

Secure email: [Christina.X.McCullough@birmingham.gcsx.gov.uk](mailto:Christina.X.McCullough@birmingham.gcsx.gov.uk)

Birmingham City Council,  
Licensing Section,  
P.O. Box 17013,  
Birmingham,  
B6 9ES

[www.birmingham.gov.uk/licensing](http://www.birmingham.gov.uk/licensing)

Twitter: @BCC Licensing

For information on Birmingham Licensed premises including licensed hours, activities and conditions go to  
<http://publicregister.birmingham.gov.uk>

Locally accountable and responsive fair regulation for all - achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors.

**Application for the grant of a Sexual Entertainment Venue Licence for Paradise City, 193-194 Broad Street, Birmingham.**

Birmingham City Council, Licensing Enforcement wishes to make a representation in respect of the above application.

The application is made by Gary Brown, a Director of Parma (Midlands) Limited. A licence is requested for the operation of a gentleman's club at the premises formerly known as Legs 11.

**Meeting with Gary Brown 14<sup>th</sup> December 2018 at 11.00 hours**

As part of an application for the grant of a Sexual Entertainment Venue Licence an inspection is carried out at the premises to ascertain how the conditions can be met and to assess the level of understanding of the applicant.

On 14<sup>th</sup> December 2018 I met with Gary Brown, a director of Parma (Midlands) Limited.

- At the time of the inspection no dancers were employed. Mr Brown seemed to be aware of the documentation that was required before any performers could work.
- He agreed that they had used the house rules that were used by Legs 11 and that a very small amount of amendments had been made.
- Mr Bamber was present at the meeting. He said that he would be carrying out compliance checks to ensure that they were operating correctly. I asked Brown what about when they no longer employed the services of Mr Bamber, he said that they would for the first year and then assess the situation after that.
- He admitted that Daniel Parma would be the controlling mind of the business.
- We discussed the use of the VIP room and that it was requested as part of the application that special dispensation be made for a lock to be fitted to the door. I explained that I did not agree to any locks being fitted. We discussed the safety implications of a lock being fitted to the outside of the door, including the previous experiences that had been witnessed by myself in that room. I also advised that even though it would be a free bar responsible drinking still had to be monitored.
- He anticipated that the fees for private dances in the VIP room would remain as £500 per dancer per half an hour.
- The premises is in a state of disrepair and is currently being worked on.

- He assured me that all fees would be paid through the account of Parma (Midlands) Limited and no other companies. He explained that he did not see how this could happen. I explained that it had previously and that the money paid by cards had gone to a company of which Daniel Parma was the Director
- The drugs policy offered relates to customers, I asked about dancers and staff and how this would be monitored. He said that they would have a zero tolerance.
- He believed that the best way to make dancers comply was education and not fines. All dancers would have to read and understand the conditions of the licence. Each would have to sign that they understood and would abide by them. I explained that this was a requirement of the licence and they had all done so when the premises was previously trading as Legs 11. However, this had not stopped the dancers from performing prohibited actions nor the managers stopping them.
- He advised that a lot of extra procedures would be implemented if they were granted the licence.

### **General**

Parma states on the application that he has not been the holder of a SEV licence. At the time Legs 11 was revoked he had a controlling influence in the day to day operation of the business. I had numerous dealings with him and he made the decisions. He spoke to me about future plans that they had for the business, in fact on one occasion he asked me about installing a Jacuzzi for a VIP room. I only met Thomas Taylor once, it was evident that he was not the controlling mind behind the business; it was on that occasion that I discussed with Parma the removal of the lock from Room 11. In fact Parma confirms in this application that he was involved in the management of Legs 11.

I consider that it was established beyond all reasonable doubt that Daniel Parma was not only involved in the day to day running of both branches of Legs 11 but profited financially from them as well. Both premises of Legs 11 had SEV licences in the name of Clear Blue Sky Thinking Limited, however, it appeared that the money was going elsewhere.

- **Legs 11 trading at 193-194 Broad Street, Birmingham** monies paid by debit or credit card, including private dances was taken and processed by Take It Back Limited (company registration number 08048966). Daniel Parma is and always has been the sole director. Take It Back Limited was incorporated on 27<sup>th</sup> April 2012. On 27<sup>th</sup> January 2015 the registered office address became 193-194 Broad Street. On 22<sup>nd</sup> August 2017 the registered office became 23 Broom Hall Crescent, Birmingham, B27.



Displayed in the foyer of the premises was the PRS Licence certificate and the Public Liability Insurance, both documents were in the name of Take It Back Limited. The insurance certificate stated Take It Back Limited T/A Legs 11. **A copy of each document and the company search for Take It Back Limited is attached.**

- **Legs 11 trading at Ladywell Walk, Birmingham** monies paid by debit or credit card, including private dances was taken and processed by Dansid Limited (company registration number 0825260). Daniel Parma is and always has been the only director. Dansid Limited was incorporated on 15<sup>th</sup> November 2012. On 27<sup>th</sup> January 2015 the registered office address became 30 Ladywell Walk, Birmingham B5. On 22<sup>nd</sup> August 2017 the registered office became 23 Broom Hall Crescent, Birmingham, B27.

Displayed in the foyer of the premises was the Public Liability Insurance. This document stated Dansid Limited trading as Legs 11, 30 Ladywell Walk, Birmingham, B5 4ST. **A copy of the Public Liability Insurance document and the company search for Dansid Limited is attached.**

An annual renewal inspection was carried out Legs 11 Ladywell Walk on 14<sup>th</sup> November 2016 in the presence of Ruxandra Niculescu, she stated that the business traded as Clear Blue Sky Thinking Limited and Dansid Limited, this information was entered onto the notice that was issued to the business. **A copy of this notice is attached.**

The application before Committee today, is seeking the grant of a SEV licence and a variation to the standard conditions in that Paradise City want locks fitted to the VIP room. When Legs 11 were operating under the SEV licence at Broad Street this is the room where CCTV clearly evidenced that major breaches took place, there has not been any structural changes to the interior of the building.

The applicant has taken advice from a consultant. The majority of points put forward by the consultant are covered by the conditions of the SEV Licence. The problems experienced at Legs 11 previously were not shortcomings in the Conditions attached to the licence they were all flagrant breaches that were clearly visible on CCTV footage. The breaches became the normal way in which the business was run, it became a culture that was permitted or condoned by the management of the business.

It is proposed that the day to day running of the business will be Gary Brown and Ruxandra Niculescu, **both of whom were involved with Legs 11.**

- **Brown** was the DJ at Legs 11, Ladywell Walk.
- **Ruxandra** was the DPS at Legs 11, Ladywell Walk. However when a visit was made to legs 11 Broad Street, she would always attend, or instruct

Edmund the DPS at that time where the documentation or information was stored. She was heavily involved in the Management of Legs 11, Broad Street.

The proposed staffing structure is virtually identical to when Legs 11 was trading, even the door staff are the same.

### **LOCATION**

**Residential Premises** – A large apartment block is near completion on the opposite side of Broad Street at the junction with Sheepcote Street. This is a high rise apartment.

The Job Centre is directly opposite the venue. Behind the Job Centre is large residential area.

A number of student accommodation facilities also exist in the area.

**Facilities Used by Families, Education, Leisure** – Broad Street is a family orientated area. The area very near to the venue hosts a cinema and numerous restaurants.

A few doors away from the venue is a designated family entertainment centre, housing numerous restaurants.

**Place or buildings of historical/cultural interest or tourist attractions** – A number of listed buildings are in close proximity, full details of which are detailed on the plan provided by Planning.

**Premises used for religious gatherings** – At the rear of the premises on Bishopgate Street is the Birmingham Progressive Synagogue.

**Does the premises hold an existing LA2003 Licence** – No, the Licensing Act licence was revoked for criminality.

### **COMMENTS**

The new application does not have any measures to prevent the same breaches occurring as previously did at Legs 11.

The management structure of the new business is almost identical to the management structure of Legs 11, the management allowed the breaches to take place.

Licensing Enforcement of Birmingham City Council therefore object to the grant of the Sexual Entertainment Venue Licence on the grounds of:

1. If the SEV Licence were to be granted it would be carried on for the benefit of Daniel Parma, who would be refused if he applied himself due to his previous involvement with Legs 11.
2. That the applicant is unsuitable to hold an SEV licence due to the proposed management structure and a Directors involvement with Legs 11.
3. Since Legs 11 closed a large residential apartment block is near completion in the vicinity. The premises is located next door to another SEV, two premises of this nature, within such close proximity to a large number of residential properties would cause an increase in the number of customers using these premises.

Christina McCullough

Licensing Enforcement Officer

Attachments.

1. PRS Licence displayed at Legs 11.
2. Public Liability Insurance displayed at Legs 11, Broad Street.
3. Company Search for Take It Back Limited.
4. Public Liability Insurance displayed at Legs 11, Ladywell Walk.
5. Company Search for Dansid Limited.
6. Copy of traders notice issued to Clear Blue Sky Thinking Limited and Dansid Limited at Legs 11, Ladwell Walk.
7. 5 screenshots showing the vicinity around 193-194 Broad Street.
8. Location plan provided by Planning.

Presented to: Take it Back Limited

For Business: Legs 11  
193-194, Broad Street  
BIRMINGHAM  
West Midlands  
B15 1AY

for supporting the writers and composers of music



Bring your business to life with music

Account number: 741364

Valid until:

01 January 2013

2016

## Public Liability - Evidence of Insurance

Policy Number	QBEC000000189
Prism Reference	0000WB9M
Name of Insured	Take it Back Ltd t/a Legs 11
Correspondence Address	193-194 BROAD STREET BIRMINGHAM B15 1AY

**Period Of Insurance**

Effective Date and Time	04/06/2016 00:01
Expiry Date and Time	04/06/2017 00:01

**Business Details**

The Trade(s) Insured	Gentlemen's / Business Club
----------------------	-----------------------------

Public Liability Limit of Indemnity Any One Claim or series of claims arising out of Any One Event	£2,000,000
--	------------

Signed on behalf of QBE Insurance (Europe) Limited (Authorised Insurers)



Ash Bathia  
Chief Underwriting Officer  
Authorised Signatory

Public Liability Insurance is provided to the Insured under the above noted Policy Number and is subject to the terms and conditions and exclusions of the Policy

**Your Insurers**

Insurer: QBE Insurance (Europe) Limited  
Registered Office: Plantation Place, 30 Fenchurch Street, London, EC3M 3BD  
Registered Number: 1761561  
FCA Register Number: 202842  
QBE Insurance (Europe) Limited is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority

**Your Agent**

<b>Agency</b>	
Agent Name	Coversure Harborne
Agent Telephone Number	0121 439 2929
Agent Address	318 High Street Harborne
Agency Number	ACOV0038

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# TAKE IT BACK LIMITED

Company number **08048966**

- [Officers](#)
- [Persons with significant control \(https://beta.companieshouse.gov.uk/company/08048966/persons-with-significant-control\)](https://beta.companieshouse.gov.uk/company/08048966/persons-with-significant-control)

## Filter officers

☐

Current officers

[Apply filter](#)

**1 officer / 0 resignations**

---

### PARMA, Daniel

Correspondence address **23 Broom Hall Crescent, Birmingham, England, B27 7JR**

Role Active **Director**

Date of birth **September 1977**

Appointed on **27 April 2012**

Nationality **British**

Country of residence **United Kingdom**

Occupation **Director**

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Search for officers

# TAKE IT BACK LIMITED

Company number **08048966**

Registered office address

23 Broom Hall Crescent, Birmingham, England, B27 7JR

Company status

Active

Company type

Private limited Company

Incorporated on

27 April 2012

## Accounts

Next accounts made up to **30 June 2018**

due by **31 March 2019**

Last accounts made up to **30 June 2017**

## Confirmation statement

Next statement date **27 April 2019**

due by **11 May 2019**

Last statement dated **27 April 2018**

## Nature of business (SIC)

• 56301 – Licensed clubs

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## Certificate of Public Liability Insurance

Policy Number 111/112014/CC/001041  
Ipsium Reference 0000TK94  
Name of Insured Dansid Limited trading as Legs 11  
Correspondence Address 30 LADYWELL WALK  
BIRMINGHAM  
B5 4ST

### Period of Insurance

Effective Date and Time 01/03/2016 00:01  
Expiry Date and Time 14/01/2017 00:01

### Business Details

The Trade(s) Insured Gentlemen's / Business Club

Public Liability Limit of Indemnity Any  
One Claim or series of claims arising  
out of Any One Event £2,000,000

Signed on behalf of QBE Insurance (Europe) Limited (Authorised Insurers)



Ash Bathia  
Chief Underwriting Officer  
Authorised Signatory

Public Liability Insurance is provided to the Insured  
under the above noted Policy Number and is subject to  
the terms and conditions and exclusions of the Policy

### Your Insurers

Insurer: QBE Insurance (Europe) Limited  
Registered Office: Plantation Place, 30 Fenchurch Street, London, EC3M 3BD  
Registered Number: 1761561  
FCA Register Number: 202842  
QBE Insurance (Europe) Limited is authorised by the Prudential Regulation Authority and regulated by the  
Financial Conduct Authority and the Prudential Regulation Authority

### Your Agent

Agency  
Agent Name Coversure Harborne  
Agent Telephone Number 0121 439 2929  
Agent Address 318 High Street  
Harborne  
Agency Number ACOV0038



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Search for officers

## DANSID LIMITED

Company number **08295260**

- [Officers](#)
- [Persons with significant control \(https://beta.companieshouse.gov.uk/company/08295260/persons-with-significant-control\)](https://beta.companieshouse.gov.uk/company/08295260/persons-with-significant-control)

### Filter officers

☐  
Current officers

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**1 officer / 0 resignations**

---

#### **PARMA, Daniel**

Correspondence address **23 Broom Hall Crescent, Birmingham, England, B27 7JR**

Role Active **Director**

Date of birth **September 1977**

Appointed on **15 November 2012**

Nationality **British**

Country of residence **United Kingdom**

Occupation **Director**

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## Companies House

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Search for officers

## DANSID LIMITED

Company number **08295260**

Registered office address

23 Broom Hall Crescent, Birmingham, England, B27 7JR

Company status

Active

Company type

Private limited Company

Incorporated on

15 November 2012

## Accounts

Next accounts made up to **30 November 2018**  
due by **31 August 2019**

Last accounts made up to **30 November 2017**

## Confirmation statement

Next statement date **15 November 2018**  
due by **29 November 2018**

Last statement dated **15 November 2017**

## Nature of business (SIC)

56301 - Licensed clubs

[Is there anything wrong with this page?](#)



No. 21046

Licensing (Enforcement) Section  
P.O. Box 17013  
Birmingham  
B6 9ES



Chris Neville  
Head of Licensing

Clear Blue Sky Thinking Ltd  
Dancid Ltd  
Legs Eleven

Enquiries to: C. McCullough

Telephone: 303 9358

30 Ladywell Walk  
BS4 5ST

Date: 14/11/2016

Legislation: Local Government (Misc. Prov) Act 1982

The following matters have been identified which do not comply with the above legislation:

1. You are unable to produce the certificate of insurance to cover performers whilst the premises is open. (Condition 13)
2. Please ensure that the signing in register of door staff is dated.
3. You are unable to provide proof that Krishan Groopaj is entitled to work in the UK.
4. Performer - Yanique Gordon needs to produce a residency document/passport to prove that she can reside in the UK.
5. Bar staff - Nob. Hle Npof. needs to produce a residency document/passport to prove that she can reside in the UK along with a National Insurance

Received by:

R. Niculescu

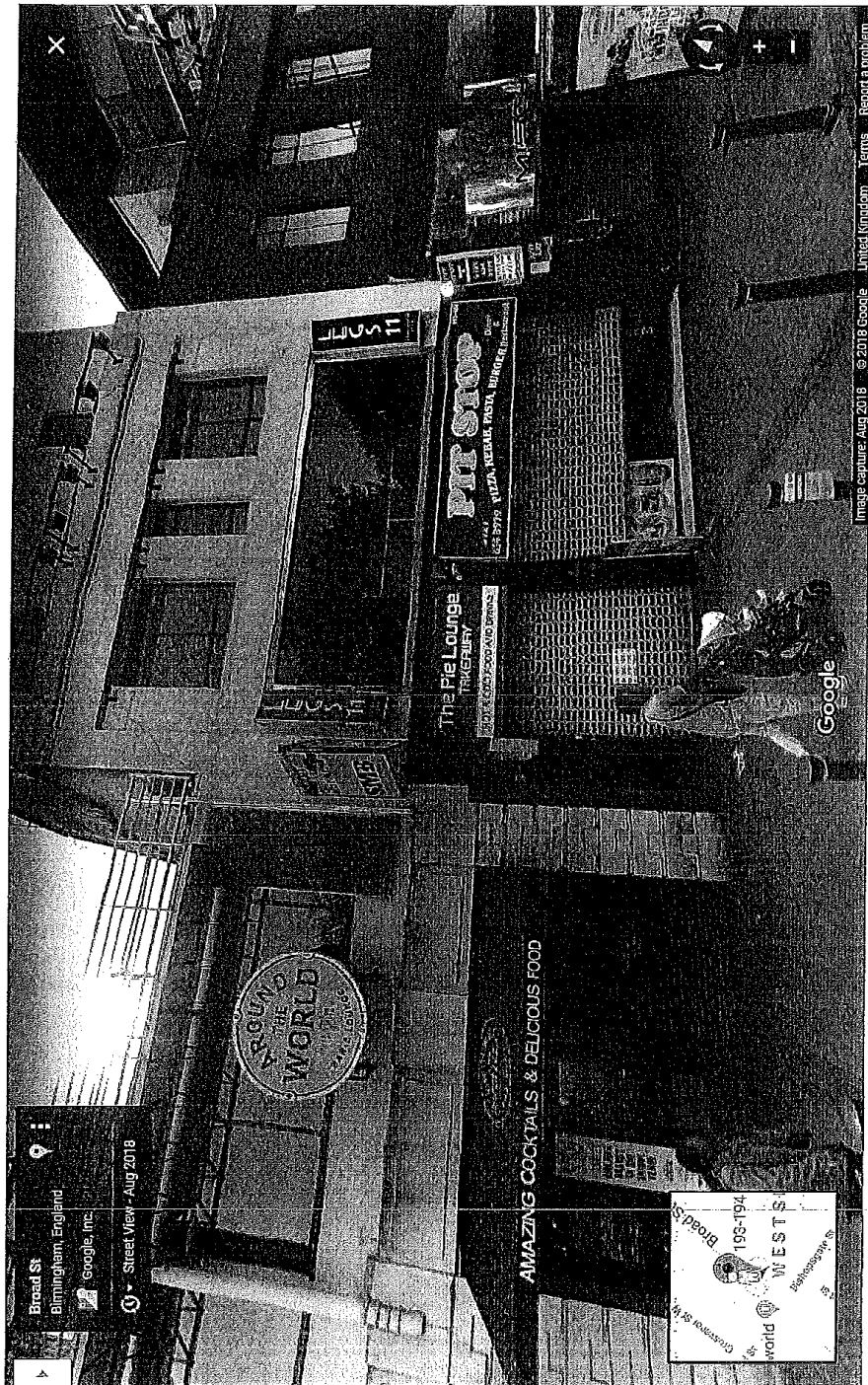
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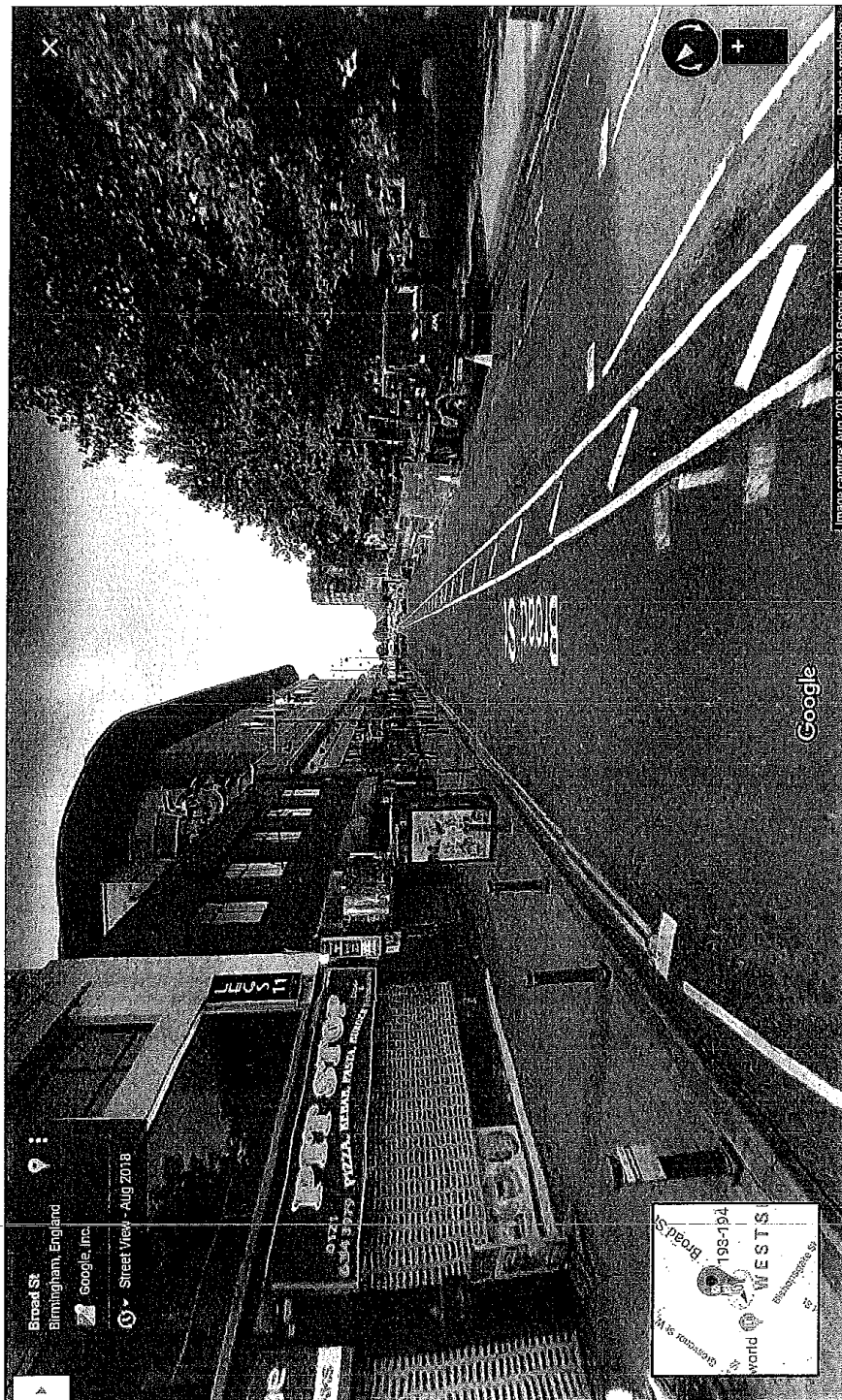
C. McCullough

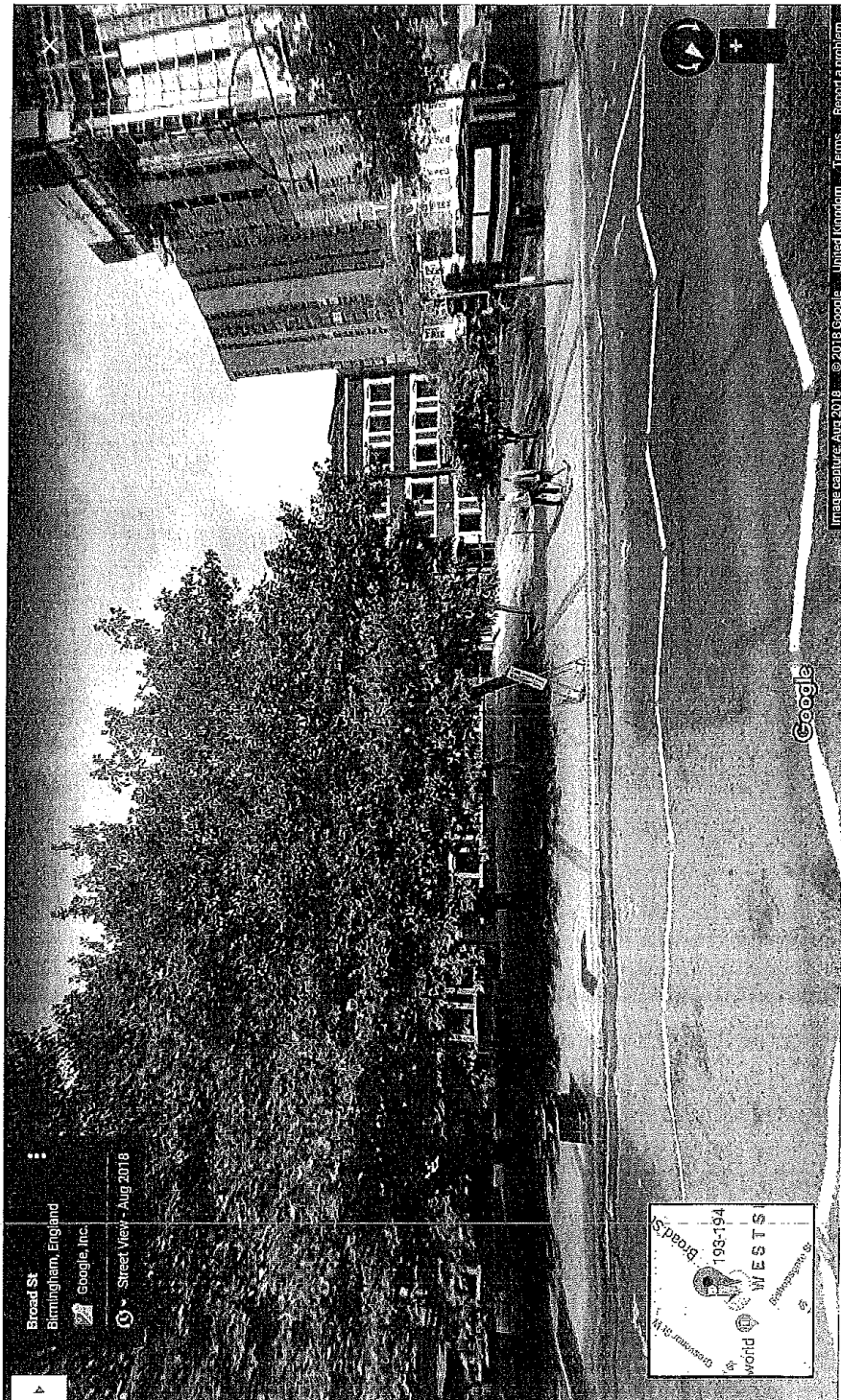


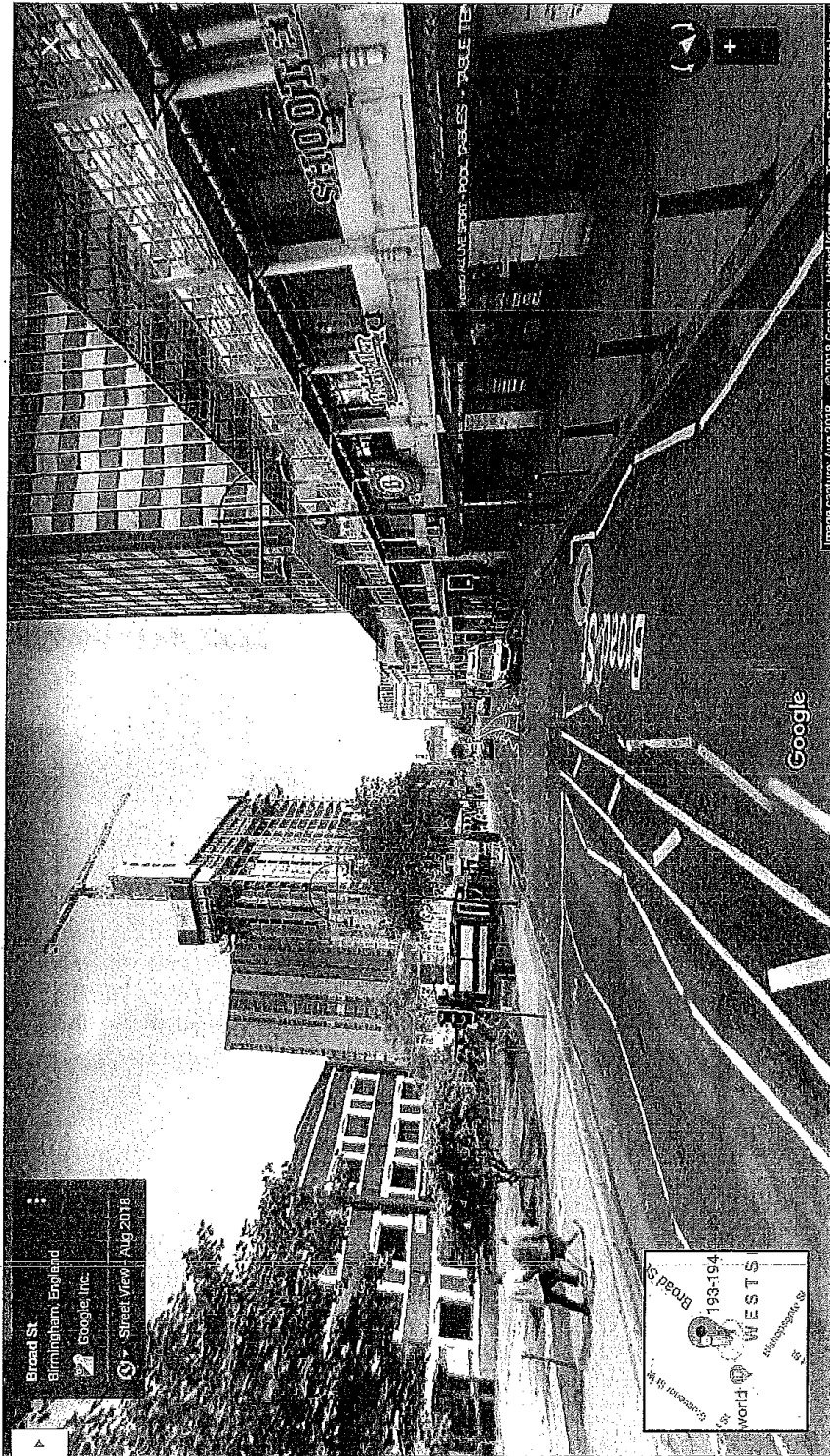
The Government Standard

44.49

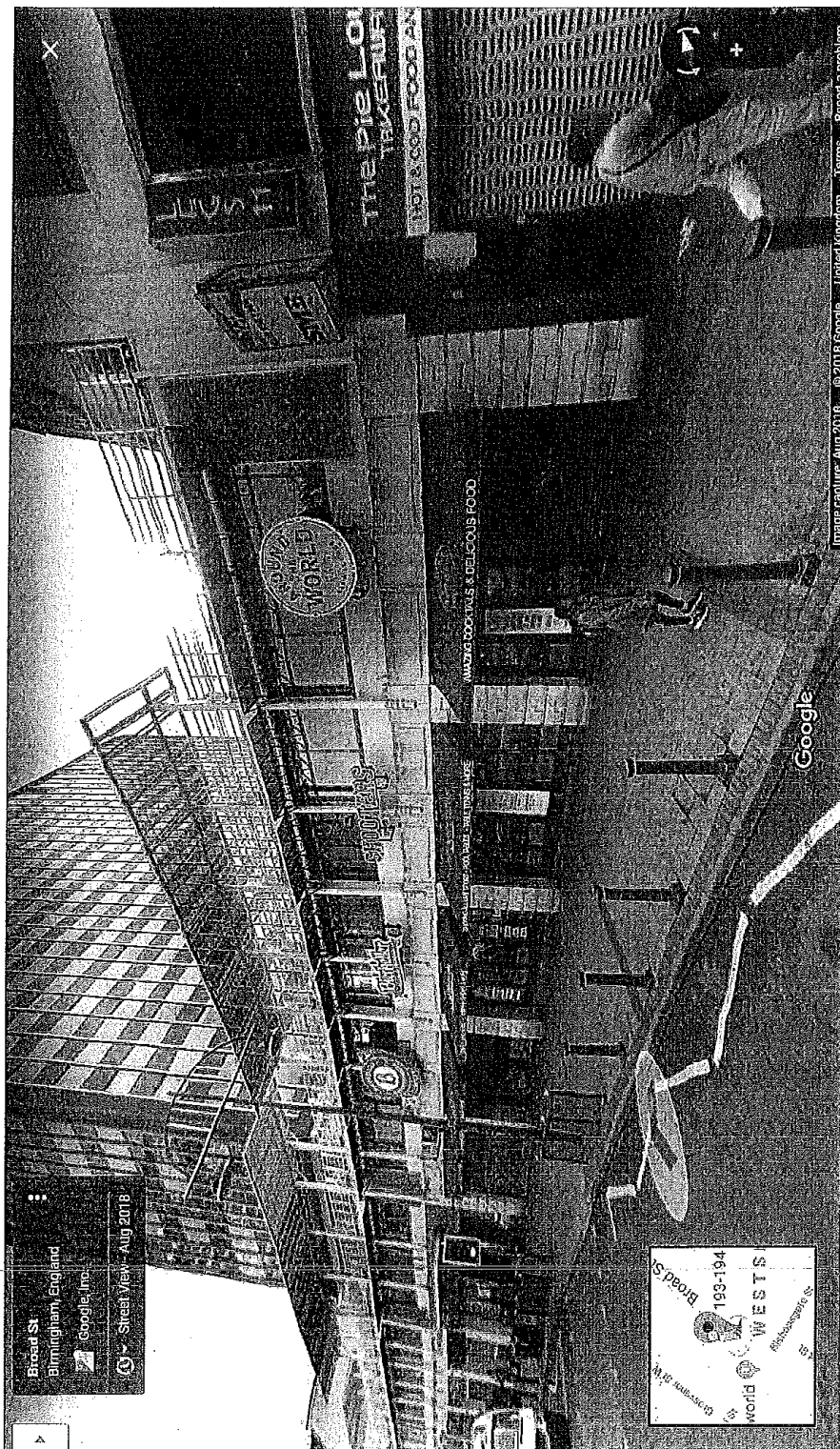
















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**From:** Heath Thomas <HThomas@hcrlaw.com>  
**Sent:** 20 December 2018 17:17  
**To:** Licensing  
**Cc:**  
**Subject:** Objection to the grant of a Sexual Entertainment Venue licence to Parma (Midlands) Limited in respect of 193-194 Broad Street, Birmingham

Dear Sirs,

I am instructed on behalf of Westside BID, Quayside Tower, 252-260 Broad Street Birmingham B1 2HF to object to the grant of a Sexual Entertainment Venue licence to Parma (Midlands) Limited.

The grounds of objection are set out below. Further details and evidence in support may be produced before the Licensing Committee in due course:

1. The grant of this licence is inappropriate having regard to the character of the locality:
2. The grant of this licence is inappropriate in light of the use of premises in the vicinity. These include, but are not limited to, The Library of Birmingham, The Birmingham REP, the ICC, NIA, Symphony Hall, Cineworld complex, family restaurants and other premises.
3. The applicant is unsuitable to hold a licence. We are concerned regarding the applicants suitability to hold a licence and its director's failure to comply with licensing conditions elsewhere. On the 3<sup>rd</sup> July 2017, West Midlands Police lodged an application for an expedited review of the premises licence for 193-194 Broad Street, Birmingham on grounds of crime and disorder. The premises licence holder at that time was Clear Blue Sky Thinking Ltd. That application arose following investigations around irregularities in financial transactions taken on the businesses PDQ machines, in that large volumes of money were being taken from peoples bank accounts. The company receiving those payments was Take it Back Limited (see West Midlands Police application for expedited review dated 3<sup>rd</sup> July 2018).

Daniel Parma, a director of Parma (Midlands) Limited, the proposed premises licence holder, was a director of Take it Back Limited at that time, and it is submitted that this evidences a clear link between him and Clear Blue Sky Thinking Ltd, the former premises licence holder.

Both Daniel Parma and Gary Raymond Brown held senior positions at the former Legs 11 premises, and as such there is a real risk that the proposed premises licence holder will engage in similar criminal activity and breaches of the Licensing Act 2003. Daniel Parma is also a former director of Legs 11 Europe Ltd (dissolved), jointly with Sidney Taylor, a former director of Take it Back Limited. This further evidences the strong links between the applicants for this premises licence and the former operators whose licence was revoked.

The Sub-Committee determined to revoke the premises licence for Clear Blue Sky Thinking Ltd and it's reasons were due to concerns by West Midlands Police in relation to various matters which were outlined in the Chief Officer of Police's Certificate and Application and supporting evidence. Those matters were supported by Birmingham City Council, Licensing Enforcement and Birmingham City Council Trading Standards who had conducted their own investigations. The Sub Committee determined the causes of the serious crime and or serious disorder and various public safety concerns appeared to be orchestrated by an individual who was linked to organised criminal gangs in Eastern Europe, which included but was not limited to financial fraud and human trafficking.

The Sub Committee also heard and saw CCTV evidence which demonstrated various breaches of the Premises Licence the scale of which the Sub-Committee found deeply concerning. This included but was not limited to:

- the unauthorised sale of alcohol;
- serving patrons who were clearly already inebriated and/or otherwise under the influence of prohibited substances; and

The Sub Committee were also presented with compelling evidence from various sources which suggested that the premises were also responsible for:

- defrauding patrons out of significant sums of money. The Police submitted in evidence that the company which appeared to run and manage the business at the premises had turned over £1.6 million pounds in a six month period alone;
- patrons either routinely being overcharged for the services provided at the premises, or not being able to recall ever agreeing to the provision of the services in the first place;
- evidence presented to the Sub Committee included a statement from a patron of the premises who challenged a significant financial debit on his credit card which he had no recollection of making. He subsequently undertook a home drug test which suggested that he had consumed methadone without his knowledge.
- patrons' credit cards being routinely overcharged in the days following their visit to the licensed premises, or that these transactions would otherwise be in breach of the Consumer Protection from Unfair Trading Regulations 2008 in that patrons were being misled in regard to the price of goods and services;
- the Sub Committee were shown evidence that on at least one occasion a patron of the club had been offered sexual intercourse in exchange for money.

The Sub Committee were satisfied on the balance of probabilities that the premises were indeed associated with serious crime and disorder, and that promotion of the public safety objective within the Licensing Act 2003, was being significantly undermined.

Kindly acknowledge receipt of this representation.

Yours faithfully


Heath Thomas

#### Heath Thomas

Partner  
Head of Licensing & Regulatory Team & Wye Valley Office  
For and on behalf of Harrison Clark Rickerbys Limited

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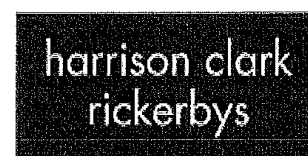
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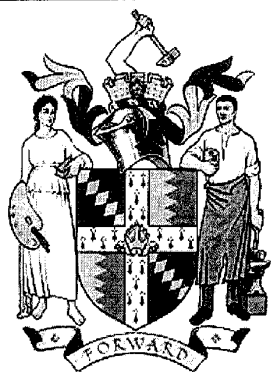
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# **BIRMINGHAM CITY COUNCIL SEXUAL ENTERTAINMENT VENUE POLICY**

**EFFECTIVE FROM 1<sup>st</sup> November 2014**

Licensing Service at Crystal Court,  
Aston Cross Business Village  
50 Rocky Lane,  
Aston,  
Birmingham, B6 5RQ

OR alternatively by email to: [licensing@birmingham.gov.uk](mailto:licensing@birmingham.gov.uk)

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## **1. Introduction**

- 1.1 Birmingham City Council ("the Council") is able to regulate sex establishments through Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ("the 1982 Act"), in particular sex shops and sex cinemas.
- 1.2 On 6 April 2010 the Policing and Crime Act 2009 ("the 2009 Act") came into force and amended Schedule 3 of the 1982 Act. Sexual Entertainment Venues ("SEVs") were added as a category of sex establishments to enable local authorities to regulate those premises which provide lap dancing, pole dancing, table dancing, strip shows, peep shows and live sex shows and other similar entertainment.
- 1.3 The Council resolved on 12 October 2010 to adopt the new amendments to gain regulatory control of SEVs with effect from 3 January 2011. Consequently, this SEV policy applies to the whole of Birmingham.
- 1.4 The adoption of Schedule 3 allows the Council to prescribe standard conditions and fees for the grant, variation, renewal and transfer of SEV licences and the appropriate number of premises to be licensed in a relevant locality, which may be nil.
- 1.5 The aim of this policy is to provide guidance for prospective applicants, existing licence holders, those who may wish to object to an application and members of the Licensing and Public Protection Committee when making a determination on an application. This policy will be reviewed regularly and revised where necessary.
- 1.6 Each application will be dealt with on its own merits
- 1.7 Consideration will be given to the provisions of the Human Rights Act 1998, the Provision of Services Regulations 2009 and the Home Office guidance issued in March 2010 entitled "Sexual Entertainment Venues – Guidance for England and Wales" when considering applications for SEVs.
- 1.8 The Council does not take a moral stance in adopting this policy. The Council recognises that Parliament has made it lawful to operate sex establishments and that such businesses are a legitimate part of the retail and leisure industries. It is the Council's role as a Licensing Authority to regulate such premises in accordance with the law.

## **2. Sexual Entertainment Venues**

- 2.1 An SEV is defined in the 2009 Act as "any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer".
- 2.2 The meaning of 'relevant entertainment' is "any live performance or 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 an audience (whether by verbal or other means)". An audience can consist of just one person.

2.3 This definitions would apply to the following forms of entertainment [as they are commonly known]: lap dancing; pole dancing; table dancing; strip shows; peep shows and live sex shows. This list is not exhaustive and should only be treated as indicative. The decision to licence premises as sexual entertainment venues shall depend on the content of the relevant entertainment rather than the name given to it.

2.4 The 2009 Act provides exemptions from the definition of SEVs as follows:

- Sex shops and sex cinemas (which are separately defined in Schedule 3 to the 1982 Act).
- Premises which provide relevant entertainment on an infrequent basis. These are detailed as premises where:
  - (a) no relevant entertainment has been provided on more than 11 occasions within a 12 month period;
  - (b) no such occasion has begun within a period of one month beginning with the end of the previous occasion; and
  - (c) no such occasion has lasted longer than 24 hours.
- Other premises or types of performances or displays exempted by an order of the Secretary of State.
- Private dwellings to which the public are not admitted

2.5 Premises which provide regulated entertainment on an infrequent basis will continue to be regulated under the 2003 Act insofar as they are providing regulated entertainment under that Act either by virtue of a premises licence or club premises certificate or a temporary events notice issued under that Act.

2.6 In practice this means that the vast majority of lap dancing clubs and similar venues will require both a SEV licence for the provision of relevant entertainment and a premises licence or club premises certificate for the sale of alcohol or provisions of other types of regulated entertainment not covered by the definition of relevant entertainment.

2.7 Live music or the playing of recorded music which is integral to the provision of relevant entertainment such as lap dancing for which a SEV licence is required is specifically excluded from the definition of regulated entertainment in the 2003 Act. Therefore, a SEV will not require a premises licence or club premises certificate just because it plays recorded music for a performer to dance to.

### 3. **Waivers**

3.1 Schedule 3 of the 1982 Act makes provision for the Council to grant a waiver from the requirement to hold a sex establishment licence in any case where it

considers that to require a licence would be unreasonable or inappropriate. A waiver may be for such a period as the Council thinks fit. Applications for waivers will be considered in exceptional circumstances.

- 3.2 The Council may at any time give a person who would require a licence but for a waiver, notice that the waiver is to terminate on a date not less than 28 days from the date the notice is given.

#### 4. **Making an Application**

- 4.1 The 1982 Act provides a maximum licence period of one year. The authority may grant a shorter licence if it thinks fit. A shorter period may be granted for example where a licensee wants a licence for a limited period for a trade exhibition or a show.
- 4.2 An application for the **grant, variation, renewal or transfer** of a licence must be made in writing to the Licensing Authority together with the application fee in accordance with the requirements set out below.
- 4.3 There are three separate notice requirements:
1. The applicant must, within seven days after the date of the application, publish an advertisement in a local newspaper circulating in the local authority's area. A suggested form of advertisement is available on request from the Licensing Section.
  2. Where the application is in respect of premises the applicant must display a notice of the application on or near the premises where it can be conveniently read by the public. The notice must be displayed for 21 days starting with the date of application. Again a suggested form of notice is available on request.
  3. The applicant must send a copy of the application to the Chief Officer of Police no later than seven days after the date of the application. Where the application is made electronically it is for the Local Authority itself to send the copy within seven days of receipt of the application.
- 4.4 The application form can be used for grant, variation, transfer and renewal applications. Applicants must provide their name, address, age (where the applicant is an individual), the premises address and the proposed licensed name of the premises.
- 4.5 Applicants must, at the time of submission of a new grant or variation application, provide a scheme showing the exterior design for consideration by the Licensing Authority before the premises are opened for business in order to ensure that exterior design of the premises complies with the Standard Conditions of Licence.



- 4.6 In addition applicants must, at the time of submission of a new grant or variation application, provide a plan showing the interior layout of the premises and where relevant entertainment will take place for consideration by the Licensing Authority.
- 4.7 Applicants for SEVs must also submit a copy of their “club rules” and customer code of conduct. Such club rules must contain the required conduct of performers.
- 4.8 Such club rules will form part of the conditions of licence (if granted) and may be subject to amendment by the Licensing Authority prior to approval.
- 4.9 Applicants must provide evidence to the satisfaction of the Licensing Service of the registration for, and payment of business rates for the premises in question at the time of application.
- 4.9 Officers of the Licensing Service may, as part of the application process, visit the relevant locality of the premises to establish and report on whether there are any characteristics of the locality which may require consideration by the Licensing and Public Protection Committee.
- 4.10 Officers of the Licensing Service may also consult with colleagues from other Departments such as Planning
- 4.11 With regards to online application tacit authorisation does not apply to applications for SEV licences. This means the applicant must wait for the Licensing Authority to determine the application before they can operate a SEV.

## 5. **Fees**

- 5.1 The 1982 Act permits the authority to set a reasonable fee. Fees for Sex Establishments are reviewed annually by the Licensing and Public Protection Committee and set at a level appropriate to recover the costs of carrying out the licensing function under that Act namely: administration (including any hearings or appeals), inspection and compliance.
- 5.2 The above process is also applicable to the function of licensing SEVs and the appropriate fees for applications can be found on the Council’s website at: [www.birmingham.gov.uk/licensingfeesandcharges](http://www.birmingham.gov.uk/licensingfeesandcharges).
- 5.3 Application fees must be paid in full at the time of submission of the application.

## 6. **Making Objections to Applications**

- 6.1 The 1982 Act permits a wide range of persons to raise objections about the **grant, renewal, variation or transfer** of a SEV licence. Objectors can include residents, resident associations, trade associations, businesses, Councillors (providing they do not sit on the Licensing and Public Protection Committee),

regulatory agencies such as Planning and Environmental Health, or MPs. The Police are a statutory consultee for all applications.

6.2 Objections must be made in writing (email is acceptable) no later than 28 days after the date of the application to the Licensing Authority and should include the following:

- the name and address of the person or organisation making the objection;
- the premises to which the objection relates;
- the proximity of the premises to the person making the objection, a sketch map or plan may be helpful to show this.

6.3 Objectors should limit their objection to matters which are relevant to the statutory grounds for refusal as set out in the 1982 Act. The relevant grounds for objection are:

- That the applicant is unsuitable to hold an SEV Licence;
- That the SEV, if granted would be carried on for the benefit of person/s who would be refused an SEV licence if they had applied themselves;
- That the layout, character or condition of the premises are inappropriate for the proposed SEV;
- That the use of the premises as an SEV would be inappropriate due to the use of premises in the vicinity;
- That the use of the premises as an SEV would be inappropriate due to the character of the relevant locality; and/or
- That the number of sex establishments or sex establishments of a particular type is inappropriate in the relevant locality.

Any objections received by the Licensing Authority which do not relate to the grounds set out in the 1982 Act will be rejected by the Licensing Service.

6.4 The courts have consistently stated that moral objections are inadmissible in such applications and will therefore be rejected.

6.5 Objections will be considered by the Licensing and Public Protection Committee determining the application. The applicant will be informed of any objections received in respect of their application and the objection(s) will become public documents. (However, objector's personal details such as name, address and telephone number will be removed.) A copy of the hearing procedure will be sent to the applicant and any objectors prior to the hearing.

## **7. Determination of an Application**

7.1 **All applications for the grant of a SEV licence will be determined by the Licensing and Public Protection Committee.** Valid objections to any application will be considered by the Licensing Committee or delegated to a Licensing Sub Committee at the hearing to consider the application.

Applicants and objectors will be given an equal opportunity to state their case in accordance with the Licensing and Public Protection Committee's procedure for hearings, which is available from the Licensing Service.

- 7.2 The 1982 Act provides five mandatory grounds and four discretionary grounds for refusal of a SEV licence. Each application for a SEV will be decided upon its own merits and the Licensing Authority will give clear reasons for its decisions. Any decision to refuse a licence **MUST** be relevant to one or more of the following grounds:

7.3 Mandatory grounds for refusal

Specific mandatory grounds for refusal of a licence are set out in paragraph 12(1) (a to e) of Schedule 3 in the 1982 Act. A licence cannot be granted:

- (a) to any person under the age of 18 years;
- (b) to any 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 any 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 any person who has, within a period of 12 months immediately preceding that date when the application was made, been refused that 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.

7.4 Discretionary grounds for refusal

The only discretionary grounds upon which the Council may refuse an application for the grant or renewal of a licence on one or more of the grounds specified in Schedule 3 paragraph 12(3) are that:

- (a) the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reasons;
- (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/she made the application himself/herself;
- (c) the number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for the locality;
- (d) the grant or renewal of the licence would be inappropriate, having regard:
  - (i) to the character of the relevant locality; or
  - (ii) to the use to which any premises in the vicinity are put; or
  - (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

## **8. Suitability of an Applicant**

8.1 In respect of 7.4(a) and (b) above with regard to the suitability of an applicant to hold a licence, the criteria for Members to consider include, but are not limited to:

- that the operator is honest
- that the operator is qualified by experience to run the type of sex establishment in question
- that the operator understands the general conditions
- that the operator is proposing a management structure which delivers compliance with the operating conditions e.g. through managerial competence, presence, a credible management structure, enforcement of rules internally, a viable business plan and policies for welfare of performers
- that the operator can be relied upon to act in the best interests of performers e.g. in how they are remunerated, the facilities they enjoy, how they are protected and how and by whom their physical and psychological welfare is monitored
- that the operator can be relied upon to protect the public e.g. transparent charging, freedom from solicitation
- that the operator can show a track record of management of compliant premises, or that he/she will employ individuals who have such a track record.
- Compliance with other regulatory and taxation schemes

## **9. Suitability of Premises**

9.1 The Council would expect that when an application for an SEV licence at permanent commercial property is made, that the applicant will be able to demonstrate that the layout, character and/or condition of the premises is appropriate to the relevant entertainment proposed at the premises.

9.2 The Council would expect that when an application for an SEV licence at permanent commercial property is made, that property should have the appropriate planning consent.

## **10. Use of Premises in the Vicinity**

10.1 In considering the grant, renewal or variation of the licence would be inappropriate to the use which any premises in the vicinity are put, the Licensing Authority shall consider, among other considerations:

- (a) the fact that the premises are sited in a residential area;
- (b) the premises are sited near shops used by or directed to families or children, or no frontages frequently passed by the same;
- (c) the premises are sited near properties which are sensitive for religious purposes e.g. synagogues, churches, mosques, temples;
- (d) the premises are sited near premises or areas which are sensitive because they are frequented by children, young persons or families, including but not limited to educational establishments, leisure facilities

- such as parks, libraries or swimming pools, markets and covered markets;
- (e) the premises are sited near places and or buildings of historical/cultural interest, tourist attractions.
- (f) the premises are sited near civic buildings

## **11. Character of the Relevant Locality**

11.1 With reference to paragraph 8.4(d) 'relevant locality' for the purposes of paragraph 12 of Schedule 3 of the Act means:

- (i) in relation to the premises, the locality where they are situated, and
- (ii) in relation to a vehicle, vessel or stall, any locality where it is desired to use it as a Sexual Entertainment Venue.

11.2 In considering if the grant, renewal or variation of the licence would be inappropriate, having regard to the character of the relevant locality or to the use of which any premises in the vicinity are put, the Licensing Authority shall consider, among other considerations, whether the grant of the application would be inappropriate, having regard to:

- (a) the fact that the premises are sited in a residential area;
- (b) the premises are sited near shops used by or directed to families or children, or no frontages frequently passed by the same;
- (c) the premises are sited near properties which are sensitive for religious purposes e.g. synagogues, churches, mosques, temples;
- (d) the premises are sited near premises or areas which are sensitive because they are frequented by children, young persons or families, including but not limited to educational establishments, leisure facilities such as parks, libraries or swimming pools, markets and covered markets;
- (e) the premises are sited near places and or buildings of historical/cultural interest, tourist attractions.
- (f) the premises are sited near civic buildings

11.3 The Council will consider relevant locality on a case by case basis taking into account the particular circumstances of each case. However, the Council will not seek to define locality as the whole of the Council's administrative area or an entire town.

## **12. Appropriate Number of Sexual Entertainment Venues**

12.1 As set out within paragraph 7.4(c) above, paragraph 12 of Schedule 3 provides that a Local Authority may refuse an application if it is satisfied that the number of sex establishments or sex establishments of a particular kind in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for that locality. The Council is able to determine that the appropriate number for a locality is nil.

12.2 The Council may choose to set an upper limit guide on the number of SEVs which it considers appropriate in any area within the Council's administrative control. Each application MUST in any event be considered on its merits at the time the application is determined by the local authority.

12.3 The Council considers that the City Centre, being that part of the City which falls within the ring road (A4540) is an area in which it is appropriate to have an upper limit guide on the number of SEVs within it. The Council considers the appropriate upper limit for this area is eight.

13. **Conditions**

13.1 When issuing an SEV licence the Licensing Authority is permitted to issue it on such terms and conditions and subject to restrictions as specified at the time the licence is issued either in the form of conditions specific to the individual or standard conditions applicable to all SEVs.

13.2 The Council has decided to produce regulations prescribing standard conditions and these shall apply to every licence granted, varied, renewed or transferred by the authority unless they have been expressly excluded or varied. These regulations are attached to this policy at Annex A.

13.3 It is an offence to operate an SEV without a licence or contravene a condition of the licence. The maximum penalty upon conviction is £20,000

14. **Renewal Applications**

14.1 Provided an application for renewal has been accepted by the Licensing Service prior to the date of expiry, the licence shall be deemed to remain in force until such time as the renewal is determined by the Council, or the application is withdrawn.

14.2 The statutory requirements for advertising and giving notice, are the same as those applying to initial grants, which are dealt with at paragraphs 5-13. Renewal applications will be dealt with by way of delegated authority to officers, unless there are any objections or other matters of concern, in which case, the application will be heard by the Committee.

15. **Revocation of a Sexual Entertainment Venue Licence**

15.1 A licence can be revoked by the Council at any time on any one of the grounds set out in 7.3(a - e) or any one of the grounds set out in 7.4(a and b) of the policy.

15.2 The Council will not revoke a licence without the licence holder being given an opportunity to appear before the Licensing and Public Protection Committee and be heard.

15.3 Where a licence is revoked, the Council shall give the licensee a statement in writing of reasons for its decision within seven days of the request being

made. Where a licence is revoked its holder will be disqualified from holding or obtaining a licence in the area of the Local Authority for a period of 12 months from the date of revocation.

- 15.4 When the authority revokes a licence, the decision does not take effect until the time for bringing an appeal has expired and if an appeal is brought until the determination or abandonment of that appeal.

**16. Cancellation of a Sexual Entertainment Venue Licence**

- 16.1 The Council may at the written request of the licence holder cancel the licence.
- 16.2 If a licence holder dies then the licence will be deemed to have been granted to the licence holder's personal representatives and will remain in force for three months from the date of the licence holder's death and will then expire.
- 16.3 The Council can, however, on the application of the licence holder's personal representatives extend the three month period if the Council is satisfied that an extension is necessary for the purpose of winding up the late licence holder's estate. The Council will only do so where there are no circumstances that make such an extension undesirable.

**17. Variation of a Sexual Entertainment Venue Licence**

- 17.1 A licence holder may at any time apply to vary a term, condition or restriction of a licence or apply to change the location of a licensed vessel. The statutory requirements for advertising, giving notice, consideration by the Council, hearings and the giving of the reasons are the same as those applying to initial grants, which are dealt with at paragraphs 5-12. On receiving such an application, the Council can either:
- (a) make the variation as requested;
  - (b) make such variations as it thinks fit;
  - (c) refuse the application.
- 17.2 The applicant will be given an opportunity to attend a Licensing and Public Protection Committee before a decision is made to make a variation other than that being applied for or to refuse the application.
- 17.3 Where the Council imposes some other term, condition or restriction other than one sought in the variation application, the decision does not take effect until the time for bringing an appeal has expired and if an appeal is brought until the determination or abandonment of that appeal.

18. **Right to Appeal a Decision**

- 18.1 The decisions against which a right of appeal lies are refusals for the grants, renewals, variations or transfers, the imposition of conditions and also revocation.
- 18.2 Appeals must be made to the Magistrates Court within 21 days, starting from the date the applicant is notified of the Licensing Authority's decision.
- 18.3 It is important to note that appeals only lie against the mandatory refusals on the basis that the mandatory ground does not apply to the applicant/licence holder. Further, no appeal lies against the Licensing Authority's decision made on the discretionary grounds set out at paragraphs 7.4(c and d), namely:
- that it is inappropriate to grant or renew a licence on the grounds of the character of the locality or the number of premises in it; or
  - the use of premises in the vicinity or the layout, character or condition of the premises.
- 18.4 The only discretionary grounds against which an appeal lies are those in paragraph 7.4(a and b) relating to the suitability of the applicant, the manager and/or the beneficiary of the operation.



## **ANNEX A**

### **BIRMINGHAM CITY COUNCIL**

#### **STANDARD CONDITIONS FOR SEXUAL ENTERTAINMENT VENUES (SEV)**

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 the Birmingham City Council and all enquiries concerning these Regulations and its conditions shall be directed to Licensing Section, Crystal Court, Aston Cross Business Village, 50 Rocky Lane, Aston, Birmingham, B6 5RQ. 0121 303 9896. [licensing@birmingham.gov.uk](mailto:licensing@birmingham.gov.uk)
- (ii) These conditions apply to all premises licensed as a "sexual entertainment venue" as defined by the said 1982 Act that is to say 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 an application must be made to the Council.
- (viii) In the event of a conflict between the prescribed conditions and special conditions contained in a SEV licence the special conditions shall prevail.

#### **OPENING HOURS**

- 1. The licensed premises shall not be open or 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 and Public Protection Committee.

#### **WINDOW, FASCIA BOARD ADVERTISEMENT AND DISPLAYS**

- 2. Save for the entrance lobby, the interior of the premises shall not be visible to passers-by and to that intent the licensee shall ensure the area 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 all 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. The licensee shall not permit the display outside of the premises of photographs or other images, which indicate or suggest that relevant entertainment takes place in the premises.

#### **LICENSED NAME**

- 6. At the time of granting the licence in respect of the premises the Council will authorise a name referred to as "The Licensed Name" by which it is intended that the premises shall be known and the licensee shall ensure that the premises are known solely by that name and by no other, save as provided for by the paragraph below.
- 7. To change the licensed name, an application shall be made to the Council not less than 28 days prior to the proposed change and the Council shall have an absolute and unfettered discretion to allow or refuse such change.

#### **EXHIBITION OF LICENCE**

- 8.
  - a) A copy of the licence (two pages) shall be suitably framed and exhibited in a position that can easily be read by all persons entering the premises.
  - b) The conditions of licence and all such documents listed as Appendices to said licence shall be retained in a clean and legible condition and immediately available for inspection by anyone who so requests.

9. The licensee shall retain a copy of a form signed by each employee and performer confirming that they have read and understood the licence and conditions. The copy shall be retained for a period of six months after they cease work at the premises. A copy of the licence and conditions shall be given to each performer.

#### **RESPONSIBILITY OF THE LICENSEE**

10. 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.
11. The written nomination referred to in condition 10 above shall be maintained in a daily register, kept on the premises and made continuously available for inspection by an officer authorised by the Council or police officer.
12. The person in charge shall not be engaged in any duties that will prevent them from exercising general supervision and they shall be assisted as necessary by suitable adult persons to ensure adequate supervision.
13. 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 areas where all staff have access.

#### **EMPLOYEES AND MANAGEMENT STAFF**

14. The licensee shall 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 permitted 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 available for inspection to them. (see Conditions regarding Door Supervisors)

15. Condition 14 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 the purpose of providing sexual entertainment.
16. The licensee shall ensure that all persons employed or permitted 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.
17. The licensee shall maintain a register of 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.
18. 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 to the Licensing Authority

#### **CHANGE OF LOCATION AND ALTERATIONS TO PREMISES**

19. Where the licensed premises is a vessel or stall, the licensee shall not move the licensed vessel or stall from the location specified in the licence unless a variation application is submitted for the Council's determination giving not less than 28 days notice. n.b. this requirement shall not apply to a vessel or stall which habitually operates from a fixed location but which is regularly moved (whether under its own propulsion or otherwise) from another place such location as is specified in the licence.
20. Alterations or additions, either internal or external and whether permanent or temporary, to the structures, lighting or layout of the premises as shown on

the plan, including any change in the permitted signs on display shall not be made except with the prior approval of the Council.

#### **CLUB RULES**

21. Any club rules imposed on the performers shall be displayed in a prominent position within the premises for all employees to have easy access whilst at work.
22. 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. Copies of the same must be retained on the premises and produced to an authorised officer of the Council or police officer on request.

#### **FEES**

23. Receipts or records of payments received should be provided to performers where "house fees" are charged or when any fines are issued.

#### **PERFORMANCES**

24. No person under the age of 18 shall be permitted to be on the licensed premises when sexual entertainment is provided. A notice shall be clearly displayed at the entrance to the premises in a prominent position stating that "No person under 18 will be admitted when sexual entertainment is being provided" so that it can be easily read by persons entering the premises.
25. Each area where relevant entertainment is conducted shall be supervised and/or contain a panic alarm for the safety of performers.
26. A customer code of conduct shall be prominently displayed in each area to which the public are admitted.
27. Performers shall be aged not less than 18 years.

28. Full nudity is only permitted in the approved designated areas, as stipulated or shown on the approved plan attached to the licence. In all other public areas within the premises the performers and employees must at all times wear at least a G string (female) and or pouch (male) covering the genitalia
29. During all performances (including performances usually termed 'private dances') there must not be any deliberate contact, by the performer, with any patron or person within the audience except:
- a). Leading a patron by the 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 cheek") kiss at the end of the performance.
  - d). the placing of monetary notes or dance vouchers into the hand or garter worn by the performer.
30. No performances shall include any sex act involving any other persons or objects (or involve any form of auto-erotic stimulation).
31. A price list shall be displayed in a prominent position giving the price and the duration of any 'private dances'.
32. Any person employed to supervise or attend to the exterior or entrance area of the premises must, at all times be suitably and sensibly dressed so as not to indicate or suggest the nature of the relevant entertainment taking place at the premises.
33. No fastening or lock of any description shall be fitted upon any booth or cubicle or other area within the premises except as shown on the plan; within the toilets, within the performers' dressing rooms and/or staff areas.

- 34. At all times during a performance, performers shall have unrestricted access to a dressing room.
- 35. Patrons or members of the audience shall not take photographs or record digital images of performers within the premises via a camera or mobile phones

#### **DOOR SUPERVISORS**

- 36. The licensee shall ensure all door supervisors employed or contracted to work on the premises are suitably licensed by The Security Industry Authority or appropriate agency.
- 37. Where door staff are used, the licensee shall maintain profiles for all door staff that are, or have been, working at the premises in the last six months. The profile is to contain proof of identity (copy of passport /photo driving licence) and proof of address dated within the last six months (bank statement /utility bill). Separate proof of address is not necessary when the proof of identity is a photo driving licence. All profiles are to be made immediately available to Authorised Officers upon request.
- 38. An adequate number of licensed door supervisors, based on a risk assessment undertaken by the licensee, shall be on duty on the premises whilst relevant entertainment takes place.
- 39. At least one door supervisor shall be on duty at the premises at all times when the relevant entertainment takes place.

#### **CCTV**

- 40. CCTV shall be installed in each room within the premises where the public has access save for the toilet and staff only areas. All cameras shall continuously record whilst the premises are open to the public and recordings shall be kept available for a minimum of twenty-eight days.



- 41. 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.
- 42. The premises will provide copies of any recordings upon request by a police officer or an authorised officer of the Council within 24 hours of the request.

#### **TOUTING FOR BUSINESS AWAY FROM THE PREMISES.**

- 43. The licensee shall not allow the use of vehicles including limousines for the promotion of the relevant entertainment.
- 44. The collection of patrons and or potential clients is not permitted unless the vehicle is licensed in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1976.
- 45. The licensee shall not permit any person whilst on a public thoroughfare to encourage any other person to visit the SEV premises by any means.
- 46. The licensee shall endeavour to ensure any marketing communications associated with the SEV or relevant entertainment shall comply with the code of practice as issued by the Advertising Standards Authority.

#### **ADMISSION OF AUTHORISED OFFICERS**

- 47. Officers of the Council, Police, and other authorised agencies who are furnished with authorities (which will be produced on request) shall be admitted immediately to all parts of the premises at all reasonable times and at any time the premises are open for business.

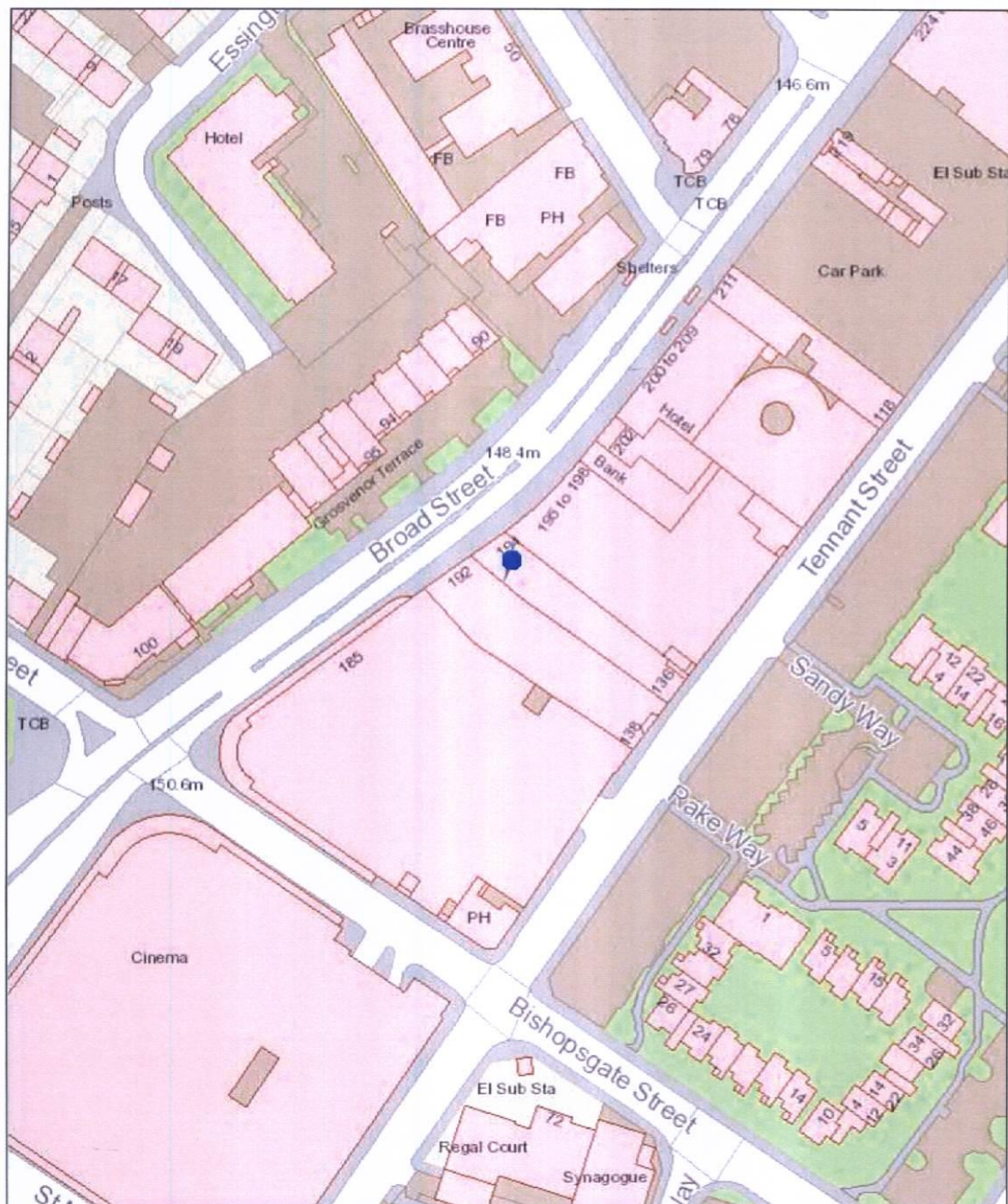
## ANNEX B

### SCHEME OF DELEGATION OF DECISION-MAKING AND FUNCTIONS

The Licensing and Public Protection Committee is responsible for making licensing decisions with Sub-Committees and officers having delegated powers to make some decisions. The table below describes how licensing decisions will be made. This scheme of delegations will be subject to regular review

Nothing within this scheme of delegations shall prevent matters being referred to a higher level where appropriate. E.g. officers may refer matters to a sub committee, or a sub-committee may refer a matter to full committee.

Matter to be dealt with:	Decision to be made by:		
	Full Committee	Sub-Committee	Officers (Senior Licensing Officer or above)
Application for grant or transfer	All cases		
Application for renewal or variation	If relevant objection made		If no relevant objection made
Minor variation application	If relevant objection made		If no relevant objection made
Revocation of Licence	All cases		
Cancellation of Licence			All cases
Make/amend regulations prescribing standard conditions, terms and restrictions	All cases		
Setting of fees	All cases		
Waiver	All cases		
To make and amend policy relating to the licensing of sex establishments	All cases		
To enforce the provisions of Part II and Schedule 3 of the Local Government Miscellaneous Provisions Ac 1982			All cases



**Birmingham City Council**

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**Notes**

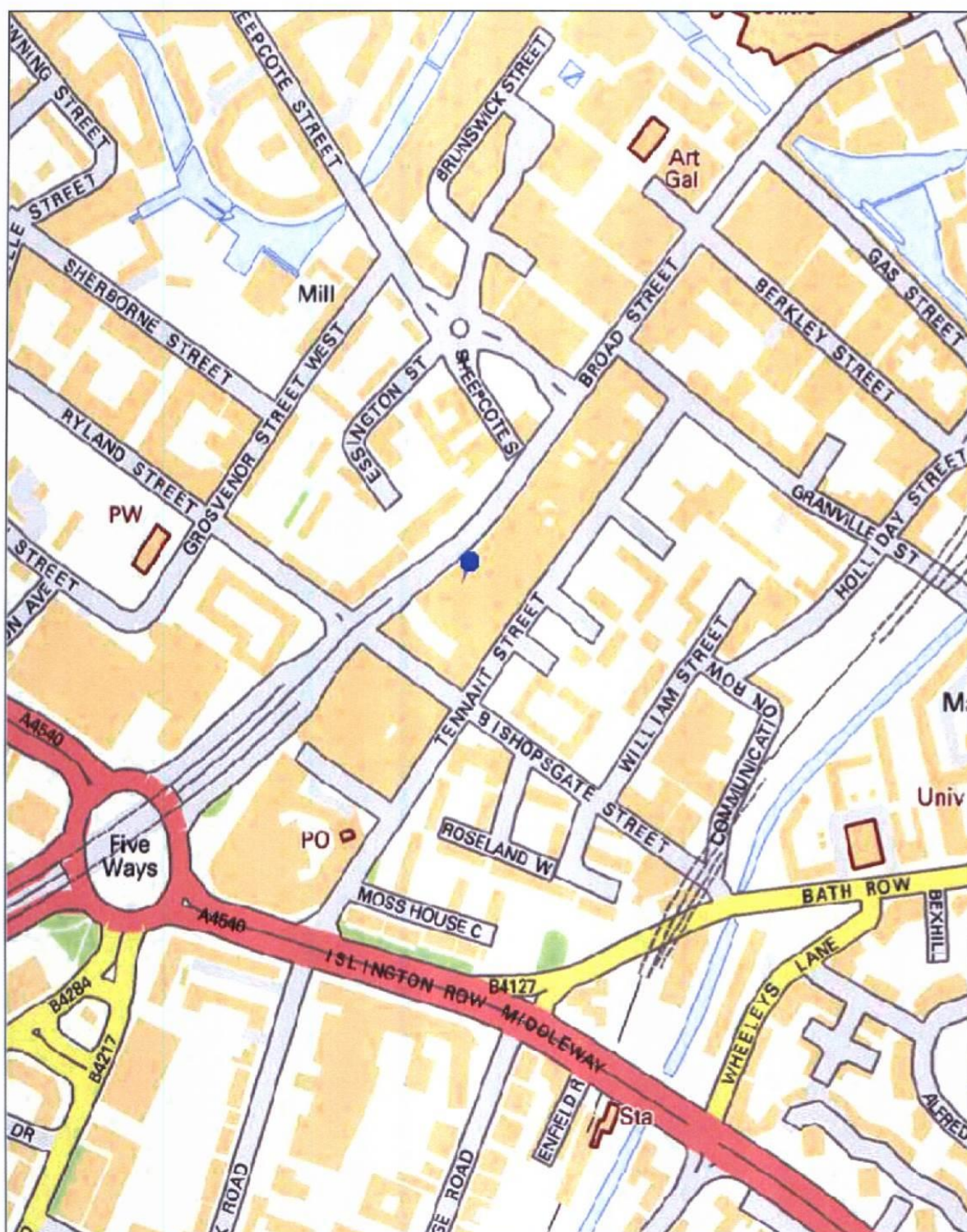
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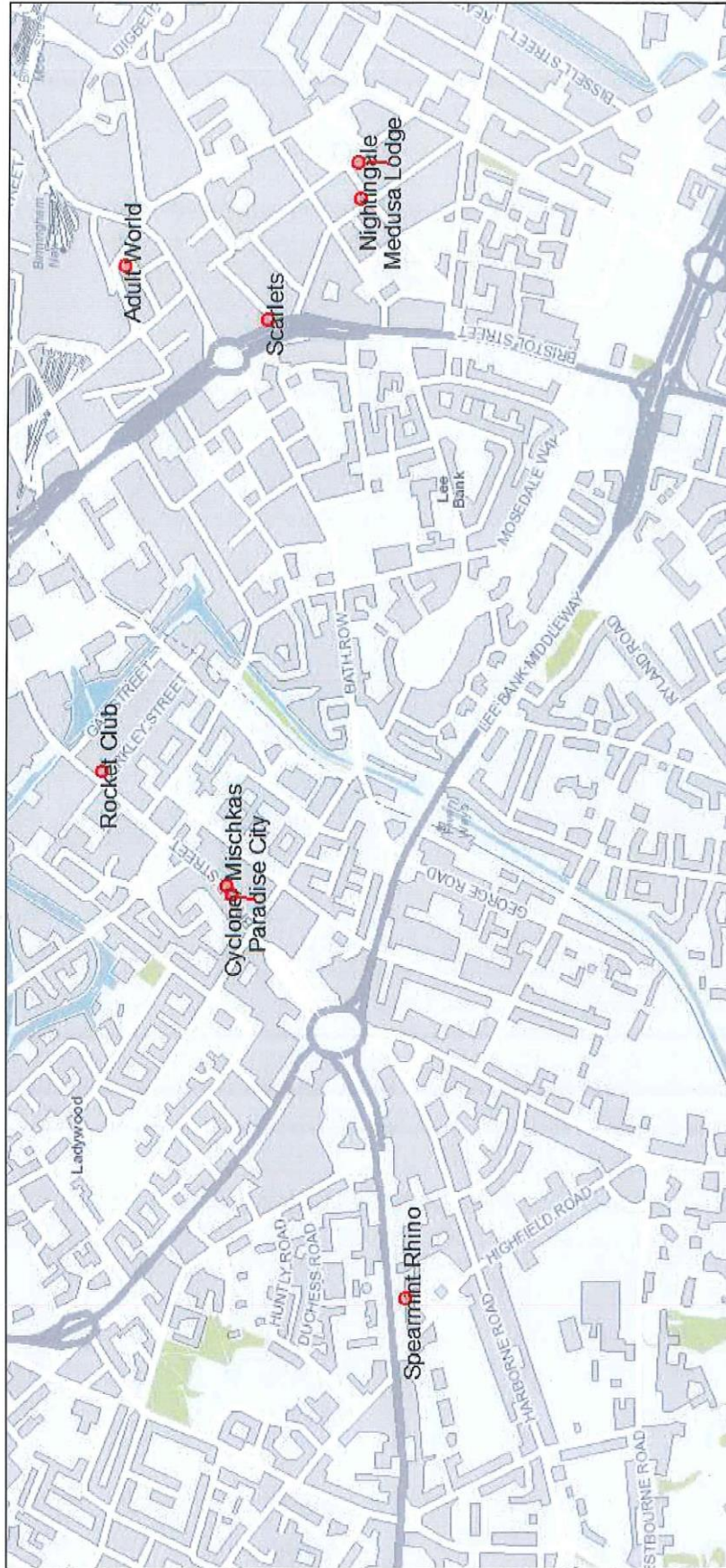
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## Map Notes

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