

REPORT OF CORPORATE DIRECTOR OF COMMUNITY & CULTURE**SUMMARY REVIEW OF PREMISES LICENCE**
Consideration of representation relating to interim steps

Premises concerned	Isis & Senioritas, Redfield Way, Lenton, Nottingham NG7 2UW Please see attached Premises Licence
Premises licence holder	Third Leisure, Isis & Senioritas, Redfield Way, Lenton, Nottingham NG7 2UW
Party submitting summary review	Nottinghamshire Police Please see attached application.
Date application Received:	4 September 2009
Date by which the full review of the licence must be carried out	2 October 2009
Interim steps taken.	On 8 September 2009 the Authority determined that the following interim steps were to be taken in relation to the Premises Licence pending the full review:- The premises licence was suspended with immediate effect.
Representations Made	Please see attached representation from John Kent Solicitors on behalf of the premises licence holder
Issues	
Issue 1	Whether the interim steps taken are necessary for the promotion of the licensing objectives and whether they should be withdrawn or modified.
Relevant Legislation	Section 53B Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006)
Relevant Policy	
Relevant Guidance	Paragraphs 3.1 to 3.7, of the DCMS non-statutory guidance on expedited/summary licence reviews
Published documents referred to in compiling this report	Licensing Act 2003 (as amended) DCMS non-statutory guidance on expedited/summary licence reviews

CARALINE RYAN, HEAD OF PUBLIC PROTECTION
LAWRENCE HOUSE, TALBOT STREET, NOTTINGHAM NG1 5NT
Contact Officer: Zoey Mayes, Assistant Licensing Officer, Lawrence House, Talbot Street, Nottingham, NG1 5NT – Telephone number: 0115 915 6082

ORIGINAL

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

I Ian Holmes on behalf of the chief officer of police for the Nottinghamshire Police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details:

Postal address of premises, or if none or not known, ordnance survey map reference or description:

**ISIS & SENORITAS
REDFIELD WAY
LENTON**

Post town: **NOTTINGHAM**
Post code (if known): **NG7 2UW**

Community & Culture - Licensing

Time received _____

- 4 SEP 2009

2. Premises licence details:

Name of premises licence holder (if known):

THIRD LEISURE

Number of premises licence (if known):

037035

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in her opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

4. Details of association of the above premises with serious crime, serious disorder or both: [Please read guidance note 2]

In the early hours of Monday 31 August 2009 serious disorder took place at the above premises, which resulted in 3 individuals being seriously injured, following the use of weapons. These injuries required hospital treatment.

The Police have serious concerns that if allowed to re-open that there are insufficient safeguards to ensure that there will not be a further serious incident.

There is an on going police investigation to apprehend the offender(s) and it is felt that if people involved in the incident are able to re-visit the venue as customers, further conflict could result.

Whilst conducting enquiries into this latest incident, it has been established that there is evidence of blatant drug abuse/use on the first floor of the premises, which puts into question the current 'Drugs Policy', which is applicable to both customers and staff, and the overall management of the premises

It is our request that the Licence is suspended until a review hearing takes place.

Other options available to the Police have been considered but are felt to be inappropriate in these circumstances.

The Police consider that an expedited review of the premises licence would allow the Licensing Authority to urgently assess the steps that need to be taken to ensure that the Licensing Objectives are not undermined, particularly the Prevention of Crime and Disorder and Public Safety.

The nature of the incident has resulted in a complete loss of confidence in the operators' ability to effectively manage the premises and uphold the licensing objectives. The Police also consider that for a venue of this type there are inadequate safeguards and conditions on the premises licence.

The Premises Licence Holder and the Designated Premises Supervisor held the licence at a premises where a similar incident occurred and a fatal stabbing resulted. Ultimately, this resulted in the licence being surrendered by the Premises Licence Holder immediately prior to the Licensing Review Hearing instigated by the Police to request the revocation of the premises licence.

This serious incident that resulted in the 3 individuals being injured has placed members of the Public in exceptional danger and as such we would request that the panel gives urgent consideration to suspension of the premises licence to protect the public from serious harm, with a view to ultimate revocation of the licence.

Signature of applicant:



Date: 4.9.09.

Capacity: Legal Assistant of Nottinghamshire Police.

Contact details for matters concerning this application:

Address:

Nottinghamshire Police
Headquarters Legal Services Department
Sherwood Lodge
Arnold
Nottingham
NG5 8PP

Telephone number(s): 0115 8002671

email: heather.read@nottinghamshire.pnn.police.uk

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or

- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.



NOTTINGHAMSHIRE
POLICE

Policing for you

Licensing Act 2003

CERTIFICATE UNDER SECTION 53A(1)(B) OF THE LICENSING ACT 2003

I, **Helen Chamberlain** hereby certify that in my opinion the premises described below are associated with both serious crime and serious disorder

Premises: Isis & Senioritas
Redfield Way
Lenton
Nottingham
NG7 2UW

Premises Licence Number: 037035

Designated Premises Supervisor: James Eftekhari

I am a Superintendent in the Nottinghamshire Police Service.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because: -

In the early hours of Monday 31 August 2009 serious disorder took place at the above premises, which resulted in 3 individuals suffering serious injury, caused by a weapon, needing hospital treatment.

I have serious concerns that if allowed to re-open that there are insufficient safeguards to ensure that there will not be a further serious incident.

There is an on going police investigation to bring the offenders to justice and I cannot risk persons involved in the incident being allowed to re-visit the venue as customers, where further conflict could result.

Upon entering premises on investigating the incident evidence of open drug use was discovered indicating serious crime was taking place at the premises.

I have considered other options available to the Police and do not consider that any are appropriate in the circumstances.

I consider that an expedited review of the premises licence would allow the Licensing Authority to urgently assess the steps that need to be taken to ensure that the Licensing Objectives of the Prevention of Crime and Disorder and Public Safety are not undermined.

It is my request that the Licence is suspended until the review hearing takes place.

Signed  Date 4.9.09



Licensing Act 2003

Community & Culture

Lawrence House
Talbot Street
Nottingham
NG1 5NT
Tel: 0115 915 5555
Fax: 0115 915 6145

Premises Licence

Premises licence number: 037035

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Isis & Senioritas
Redfield Way
Lenton

Post town	Nottingham	Post code	NG7 2UW
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Telephone number	0115 9863211
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Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Films – Indoors;
 Indoor Sporting Events
 Boxing or Wrestling Entertainments – Indoors;
 Live Music – Indoors;
 Recorded Music – Indoors & Outdoors (outdoors for background music only - on car park);
 Performances of Dance – Indoors;
 Entertainment Similar to Music/Dance – Indoors;
 Provision of Facilities for Making Music – Indoors;
 Provision of Facilities for Dancing – Indoors;
 Provision of Facilities for Entertainment Similar to Music/Dance – Indoors;
 Late Night Refreshment – Indoors & in marquee;
 Sale by Retail of Alcohol in the premises & in marquee;

(Varied: 15 October 2005)

The times the licence authorises the carrying out of licensable activities

Films, Indoor Sporting Events, Boxing or Wrestling Entertainments, Live & Recorded Music, Performances of Dance, Entertainment Similar to Music/Dance, Provision of Facilities for Making Music, for Dancing and for Entertainment Similar to Music/Dance:

Monday from 10.00 hrs to 04.00 hrs the following morning
Tuesday from 10.00 hrs to 04.00 hrs the following morning
Wednesday from 10.00 hrs to 04.00 hrs the following morning
Thursday from 10.00 hrs to 04.00 hrs the following morning
Friday from 10.00 hrs to 06.00 hrs the following morning
Saturday from 10.00 hrs to 06.00 hrs the following morning
Sunday from 10.00 hrs to 04.00 hrs the following morning
Until 07.00 hrs the following morning on Friday, Saturday & Sunday of every bank holiday weekend.
Christmas Eve & Boxing Day until 05.00 hrs the following morning.

(Varied: 15 October 2005)

Late Night Refreshment:

Monday from 23.00 hrs to 05.00 hrs the following morning
Tuesday from 23.00 hrs to 05.00 hrs the following morning
Wednesday from 23.00 hrs to 05.00 hrs the following morning
Thursday from 23.00 hrs to 05.00 hrs the following morning
Friday from 23.00 hrs to 05.00 hrs the following morning
Saturday from 23.00 hrs to 05.00 hrs the following morning
Sunday from 23.00 hrs to 05.00 hrs the following morning

Sale by Retail of Alcohol:

Monday from 10.00 hrs to 04.00 hrs the following morning
Tuesday from 10.00 hrs to 04.00 hrs the following morning
Wednesday from 10.00 hrs to 04.00 hrs the following morning
Thursday from 10.00 hrs to 04.00 hrs the following morning
Friday from 10.00 hrs to 06.00 hrs the following morning
Saturday from 10.00 hrs to 06.00 hrs the following morning
Sunday from 10.00 hrs to 04.00 hrs the following morning
Until 07.00 hrs the following morning on Friday, Saturday & Sunday of every bank holiday weekend.
Christmas Eve & Boxing Day until 05.00 hrs the following morning.

(Varied: 15 October 2005)

The opening hours of the premises

Monday from 10.00 hrs to 04.30 hrs the following morning
Tuesday from 10.00 hrs to 04.30 hrs the following morning
Wednesday from 10.00 hrs to 04.30 hrs the following morning
Thursday from 10.00 hrs to 04.30 hrs the following morning
Friday from 10.00 hrs to 06.30 hrs the following morning
Saturday from 10.00 hrs to 06.30 hrs the following morning
Sunday from 10.00 hrs to 04.30 hrs the following morning
Until 07.30 hrs the following morning on Friday, Saturday & Sunday of every bank holiday weekend.
Christmas Eve & Boxing Day until 05.30 hrs the following morning.

(Varied: 15 October 2005)

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Alcohol - On the Premises
Alcohol - Off the Premises

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Third Leisure, Isis & Senioritas, Redfield Way, Lenton, Nottingham NG7 2UU

0115 9863211

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

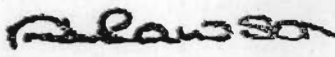
Not applicable

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

James Eftekhari

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

034937 issued by Nottingham City Council

Signed: 
Licensing Officer

Dated: 5 October 2005
Varied: 15 October 2005

Annex 1 - Mandatory Conditions

S19 Licensing Act 2003

1. No supply of alcohol may be made under this licence
 - a. At a time when there is no designated premises supervisor in respect of it or,
 - b. At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

S20 Licensing Act 2004

The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made

- a. By the British Board of Film Classification (BBFC) where the film has been classified by that Board, or
- b. By the Licensing Authority where no classification certificate has been granted by the BBFC, or, where the licensing authority has notified the licence holder that section 20 (3) (b) of the Licensing Act 2003 applies to the film.

Annex 2 - Conditions Consistent with the Operating Schedule Varied: 15 October 2005

1. If necessary, an appropriately qualified medical practitioner to be present throughout a sports entertainment involving boxing, wrestling, judo, karate or other sports entertainment of a similar nature.
2. Where a ring is involved, it is constructed and supported by a competent person and inspected by a competent Authority and any material used to form the skirt around the ring is flame retardant.
3. At any wrestling or other entertainments of a similar nature, members of the public shall not occupy any seat within 2.5 metres of the ring.

EMBEDDED RESTRICTIONS

S.59, 60, 63, 70, 74, 76 Licensing Act 1964

Alcohol shall not be sold or supplied except during permitted hours.

The above restrictions do not prohibit:

- (a) the consumption of the alcohol on the premises during the first twenty minutes after the above hours;
- (b) the taking of the alcohol from the premises, (unless the alcohol is supplied or taken in an open vessel,) during the first twenty minutes after the above hours;
- (c) the consumption of the alcohol on the premises by persons taking meals there during the first thirty minutes after the above hours, if the alcohol was supplied for consumption ancillary to those meals;
- (d) consumption of the alcohol on the premises by, or, the taking, sale or supply of alcohol to any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there; or

- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

JUSTICES LICENCE CONDITIONS

1. Intoxicating liquor may be sold or supplied only:
 - (a) When the premises are open for the provision of music and dancing or entertainment,
the supply of liquor to be ancillary to such provisions
or,
 - (b) When the premises are being used for a private or organised function to which admission is only by prior invitation.
2. No gaming on the premises other than by machines authorised under Section 34 of the Gaming Act 1968.
3. There shall be a minimum entry fee of £1.00 after midnight except when persons are attending bona fide private functions and where complimentary tickets are issued when the fee may be waived.

S.168, 171, 201 Licensing Act 1964

No person under fourteen shall be in the bar of the premises during the permitted hours unless one of the following applies:

- (1) He is the child of the holder of the premises licence.
- (2) He resides in the premises, but is not employed there.
- (3) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (4) The bar is in premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

S.12 Children & Young Persons Act 1933

Where the number of children attending the entertainment exceeds 100 the licensee shall ensure that the provisions of Section 12 of the Children and Young Persons Act 1933 are complied with.

STANDARD CONDITIONS OF ENTERTAINMENT LICENCE

GENERAL

1. The licensee, or a responsible person nominated by him/her in writing for the purpose shall be in charge of and on the licensed premises during the whole time that they are open for public entertainment. The person in charge shall throughout the whole time the premises are open for public entertainment, be assisted by a sufficient staff of competent attendants specially instructed by the licensee, or a person nominated by him/her, as to their duties in the event of any emergency.

2. The licensee shall allow any authorised officer of the Licensing Authority, Fire Authority or Police to enter all parts of the licensed premises at all reasonable times and the licensee shall conform with any reasonable request of an Authorised Officer of the Licensing Authority, Fire Authority or Police.
3. No exhibition, demonstration or performance of hypnotism shall be given.
4. The licensee shall not knowingly allow any unlawful game to be played on the licensed premises.
5. In relation to the morning on which summer time begins, where the terminal hour of this licence is later than 1.00 am, the terminal hour shall be extended by one hour.
6. Entertainments on Sundays shall be limited to those that are not prohibited by the Sunday Observance Acts as modified.
7. There shall be fixed and kept in a conspicuous place on the door or at the entrance of the premises, an inscription in capital letters as follows:- "LICENSED FOR PUBLIC ENTERTAINMENTS", also showing the maximum occupancy level of the premises. Where an individual part of the premises has been licensed, the maximum occupancy (where determined by the Fire Officer) shall be displayed at the entrance to that part in the form "MAXIMUM OCCUPANCY".
8. A copy of the Public Entertainment Licence shall be kept on the premises at all times and produced for inspection upon request by an Authorised Officer of the Licensing Authority, Police or Fire Authority.

ELECTRICAL SAFETY

9. The electrical system shall be in accordance with the edition of the regulations of the Institution of Electrical Engineers in force at the time of installation. All materials or equipment used in connection with the electrical system for which there is a British Standard specification, Regulations or Code of Practice shall conform to that specification, Regulation or Code.
10. A Report signed by a qualified electrical engineer who is a member of the National Inspection Council for Electrical Installation and Contracting (NICEIC), the Electrical Contractors Association, or the Electrical Contractors Association of Scotland, shall be submitted to the City Council on initial application and on renewal (except where a new licence and electrical reports are issued after 1 November) to the effect that the electrical system, the emergency lighting, if any, and the fire alarm system installed at the premises, if any, have been examined and tested and are in a safe working condition. All documentation relating to electrical safety submitted with an application to renew a licence must have been issued no earlier than 1 November of the preceding year. Entertainers shall only be permitted to use electrical sockets fitted with residual current device protection, complying with the current British Standard. Such sockets must be maintained in good working order and marked 'Audio Equipment Only'.
11. All parts of the premises to which the public have access shall have the lighting system tested every three months and the results recorded in the fire log book. Where a secondary system of lighting is provided by the provision of hand lamps, these shall be maintained in an efficient working order and made available to staff whose duty it is to facilitate the evacuation of the premises.
12. Electric lighting switches and gas taps shall, as far as possible, be arranged to be protected from unauthorised interference by members of the public.
13. The electrical intake enclosure shall not be accessible to the public and shall be used exclusively for the purpose for which it is provided. The main supply shut off of both gas and electricity should be easily and readily accessible in case of emergency. All electrical accumulators shall be adequately ventilated and unless installed in rooms or compartments specially reserved for them, shall be completely enclosed together with the terminals in substantial enclosures constructed of, or lined with, insulating and fire resistant material. The gas meter enclosure shall be adequately ventilated and used exclusively for the purpose for which it is provided.

FIRE SAFETY

14. Emergency exit notices must be illuminated at all times the premises are occupied, to be legible and in the event of failure of normal lighting such signs must be illuminated by the emergency lighting supply.
15. Fire alarm systems should be tested weekly and the results recorded in a log book. The system shall be maintained in efficient working order.
16. Testing and maintenance shall be carried out on all fire equipment, which shall be maintained in efficient working order.
17. Portable fire extinguishers shall be examined at least once annually and tested by a BAFE registered extinguisher maintenance engineer.
18. A notice or notices clearly indicating the position of the nearest telephone by which the emergency services may be summoned must be provided in suitable locations. If the premises are to be used for the regular provision of indoor sporting entertainment, a telephone must be installed.
19. The licensee must inform both the Fire Service, the Police and the Licensing Authority of any fire, however slight that occurs on the premises.
20. A fire log book must be kept which records details of tests, examinations and fire drill instruction. The log book must be readily available and produced for inspection by an authorised Officer of the Licensing Authority, Fire Authority or Police.
21. All members of staff must receive written instruction and training appropriate to their responsibilities in the event of an emergency. The training and instruction of staff on fire safety must include actions on discovering a fire, raising the alarm, location and use of fire fighting equipment, evacuation of the public and staff, calling the fire service. This training is to be carried out immediately to new staff as part of an induction programme and periodically repeated no less than twice per year.

PUBLIC ORDER AND ACCESS

- 22a. The total number of persons allowed on the premises, is as stated on the licence. Any request to amend the occupancy must be by applying to vary the licence.
- 22b. The licensee shall ensure that an effective system for determining the number of persons on the premises at any one time is used at all times when the premises are open for public entertainment. Staff responsible for monitoring and controlling access to the premises and management staff are to be aware of the maximum occupancy figures for the entire premises and where appropriate specific areas within the premises. These staff members must be instructed as to how the occupancy figure is to be monitored and the action to be taken when the maximum occupancy figure is reached.
- 22c. The licensee shall not allow the stated maximum occupancy to be exceeded.
23. The licensee shall maintain and keep good order and decent behaviour on the premises.
24. No public music, dancing, exhibition, recitation or entertainment of a like kind shall be permitted or suffered to take place in the licensed premises which is offensive, obscene, immoral, licentious, indecent or likely to produce riot, tumult or a breach of the peace, and the operation of the premises shall be carried out in such a way to prevent such conduct.
25. Lap dancing and all forms of entertainment, dancing or displays that include nudity or sexual performances of any kind are prohibited with the exception of tableside dancing, pole dancing and dancing on the stage carried out in accordance with the operational guidelines for the time being in force.
26. Collapsible gates or roller shutters, if installed, shall be opened to allow full width and necessary height of exit way before admission of the public, and must be kept locked in that position at all times the public are on the premises. A notice stating the requirements of this rule as to the opening and locking of the gates and shutters shall be kept posted in a conspicuous position near the gates or shutters.
27. In the case of seated audiences, adequate gangways of not less than 1.07 metres (3ft 6in) wide shall be provided for the free passage of the audience. These gangways shall

- not be occupied or obstructed in any manner and must be arranged opposite exit doors wherever possible.
28. Where the premises are to be used for a seated audience (except lunches or dinners) exceeding 200 persons, all seats shall be securely fixed to the floor, or secured together in groups of four and 12. Where more than 400 persons are to be accommodated, the seats adjoining front, back or across the gangways and seats adjoining exits shall be securely fixed to the floor. The seats shall be so arranged that no seat or part of a seat shall be more than 4.57 metres (15 ft) from a gangway, measured in line of seating. Seating arrangements should comply with current British Standards and Codes of Good Practice.
- 29a. No person shall be employed or otherwise engaged on the licensed premises as a door supervisor unless he/she holds a current registration from the Security Industry Authority.
- 29b. At all times when engaged on supervisory duties a person shall wear and clearly display the registration badge issued by the Security Industry Authority.
- 29c. 'Door supervisor' means any person employed at or near the entrance to the licensed premises to ascertain or satisfy him/herself as to the suitability of customers to be allowed on the premises, and/or is primarily employed to maintain order on the premises.
- 29d. The licensee shall maintain on the premises a log book in which the names, addresses and dates of birth of all licensed door supervisors, and the licence number of licensed door supervisors shall be entered for each day that they are engaged at the premises.
- 29e. The log book shall be kept for a period of at least three months from the date of the last entry and be readily available for inspection by an authorised officer of the Licensing Authority, Fire Authority or Police.
30. This condition applies to premises which are licensed for liquor (other than by way of an occasional licence) and which are licensed to remain open after the general licensing hours defined and prescribed by Section 60 of the Licensing Act 1964.
- 30a. The licensee shall provide free and unrestricted access to cold drinking water at a location which is readily accessible to customers. The water shall be provided without any charge.
- 30b. The licensee shall provide rest facilities which are cooler, quieter and preferably separate from the main dance area(s). Adequate seating shall be provided with the rest facilities.
- 30c. The licensee shall provide full working air conditioning and/or room temperature regulation appropriate for the type of event. Such air conditioning and/or room temperature regulation shall be properly maintained and shall operate during the provision of entertainment.
- 30d. The licensee shall ensure that adequate first aid provision is available at all times to include having at least one nominated and suitably trained first aider on the premises at all times during the event.
31. a) In premises licensed for public dancing, the dance floor shall be clearly delineated and shall be positioned in such a way as to ensure the safety of persons using the dance floor.
- b) The arrangements for access around the dance floor and for seating in the vicinity of the dance floor shall be such that neither dancers nor patrons, seated or otherwise, are put at risk of physical injury.
32. The licensee shall ensure that all plant and equipment used on the premises to which the licence relates is maintained in a safe condition and except for necessary maintenance be securely fenced or otherwise guarded so as to preclude any danger.
- 33a. The provision of sanitary conveniences and other appliances and facilities must be in accordance with the current British Standard.
- 33b. All sanitary conveniences and appliances must be kept in good order and repair and kept effectively cleansed and ventilated. The licensee must ensure that every part of the

premises to which the licence applies is maintained in a good state of structural repair and stability.

34. No structural alterations to the premises shall be made without the City Council's consent. Any request made to alter the premises must be by applying to vary the licence.
35. The licensee must ensure that every part of the premises is maintained in a good state of structural repair and stability.
36. The licensee must ensure that in every part of the premises to which the licence applies, the floors, walls, ceilings, windows, doors and fixtures are maintained in a clean condition, that the walls, ceilings, windows and doors are maintained in a reasonable state of decoration, and that no accumulation of dirt, rubbish or flammable material is allowed in any part of the licensed premises or in any other place under the control of the licensee and adjacent to the licensed premises.
37. Refuse must be stored in proper dustbins or other suitable receptacles with close fitting lids.
38. The licensee shall take all due precautions for the prevention of accident and shall not permit any act which is likely to cause fire or danger to the public.
39. All gangways, staircases and exits shall be kept clear of obstructions, well illuminated and free from any trip hazard whilst the premises are open for public entertainment.

NOISE AND GENERAL NUISANCE

40. Any noise produced or associated with the entertainment must not be audible at the façade of the nearest residential, commercial or industrial premises.
41. The licensee shall take all reasonable steps to ensure that patrons awaiting entry to the premises or leaving the premises do not cause annoyance or nuisance to any other person in the vicinity of the premises.
42. Sound insulation or control equipment which is installed to prevent noise nuisance to the occupiers of neighbouring premises shall be maintained in satisfactory working order.

SPECIAL EFFECTS

43. Lasers and strobes are not to be used without the written consent of the City Council. A warning sign to the effect that a laser or strobe is to be used in premises must be clearly displayed at all public entrances to the premises such that the public can see the warning sign before entering.

Special Conditions of Entertainment Licence:

1. **Maximum occupancy (excluding staff) :-**

Ground floor	-	1000 persons
First floor bar when operated as a nightclub in conjunction with the ground floor		
	-	900 persons
First floor when operated as Senorita's	-	600 persons

2. **Both music and dancing are permitted on the ground floor. There shall however, be no public dancing on the first floor though music and dancing by performers/entertainers only are permitted.**
3. (a) **The Instructions and Guidance contained in the operating manual provided for use with the gas extraction system installed in the building shall always be complied with. No amendments shall be made to the contents of the manual without the written consent of the City Council.**
(b) A copy of the operating manual shall be kept on the premises at all times and shall be readily available for reference by staff.

(c) A log book shall be provided and maintained on the premises and the following information recorded:-

(i) Details of the daily and weekly checks following the closure of the premises for 48 hours or more, including details of the results of the checks and any renewal action taken.

(ii) Details of the 3 monthly and 6 monthly checks maintenance and servicing checks required to be carried out by a specialist contractor, indicating faults found and remedial action taken. Alternatively the Contractor may provide service sheets which shall include the above information and these service sheets shall be kept with the log book.

(d) The log book and any service sheets referred to above shall be kept at the premises at all times and shall be available for inspection by an authorised officer of the City Council

4. A CCTV system must be installed and maintained to the satisfaction of the police. All video tapes/recorded images must be retained for a minimum period of 31 days and made available for inspection by the police or authorised officers of the City Council on request.

Only the first floor, to be known by the name "Senoritas", shall be used for table dancing etc, and when used for this purpose the premises shall operate the premises shall operate in accordance with operational guidelines and plans previously approved by the Nottingham City Council, or relevant Licensing Authority, and the following Special Conditions apply:-

5. Whilst General Condition 24 shall apply the provision of tableside dancing and pole dancing shall not be regarded as a breach of that condition provided that the licensee adheres to the operational guidelines for the time being in force.
6. General Condition 25 shall be amended to read as follows:-
"Lap dancing and all forms of entertainment, dancing or displays that include nudity or sexual performances of any kind are prohibited with the exception of tableside dancing, pole dancing and dancing on the stage carried out in accordance with the operational guidelines for the time being in force."
7. There shall be compliance with the operational guidelines at all times in respect of all matters contained therein and no alterations shall be made to the operational guidelines (except with regard to the drugs policy) without the written consent of the City Council.
8. There shall be annual meetings with the police in relation to revision of the clubs drugs policy and the licensee shall lodge any amendments to this policy with the Council. The drug policy shall relate not only to customers but also to all staff, security and performers employed at the club.
9. The premises shall be constructed and maintained in accordance with plans previously approved by the City Council (or relevant Licensing Authority) and no alteration shall be made to the premises without the agreement in writing of the Council, or relevant Licensing Authority.
10. No person under the age of 18 shall be admitted to this area.
11. The dancing permitted by this licence shall only be given by paid performers/entertainers engaged for the purpose and the performance will be restricted to dancing and the removal of clothes. There shall be no audience participation during the performance and physical contact with the audience save for the receipt of payment in the hand or garter is prohibited.

12. Dancers shall re-clothe immediately at the conclusion of their dance/performance. Dancers/entertainers who are not performing/dancing shall not appear in any public area wearing less than a G string for males, and G string/bikini bottom and top for females.
13. No performer/entertainer shall be less than 18 years old.
14. No photographs or other images indicating the type of entertainment which takes place in the club shall be displayed outside the premises.
15. There shall be notices displayed at the entrance to the premises in a prominent position so that they can be easily read by persons entering the premises signs in the following terms:-

“No person under 18 years of age will be admitted”
16. Performers shall at no time during the entertainment display their anus and, (if female,) their genitalia and shall not perform any actual or simulated sexual acts.
17. The licence holder will grant to the Police Vice Squad access to the premises at all times.
18. The operational guidelines are amended as follows:-
 - (i) Paragraph 11 of the Code of Conduct for Dancers:- delete ‘purposely’.
 - (ii) Operating Policy – Gender Guidelines: amend to show that the club shall not operate mixed gender sessions.
19. The Operational Guidelines approved by the Committee be those dated 1 September 2004 save that page 2 shall be replaced by page 2 as submitted by the applicants letter dated 15 October 2004.

Annex 3 - Conditions attached after a hearing by the licensing authority

Not applicable.

Annex 4 – Plans Varied: 15 October 2005

Plans received with the application on 6 August 2005

Drawing numbers: ground floor 001 A & first floor 002 A

Dated: 20 June 2005

Plans received with the variation application on 16 September 2005

Drawings showing the internal layout of the marquee & map showing location of the marquee in relation to Isis

Plans applicable from the date of issue of the licence & of the variation

5 October 2005

Varied: 15 October 2005

OPERATIONAL GUIDELINES

SEÑORITAS

**REDFIELD WAY
LENTON
NOTTINGHAM
NG7 2UW
TEL: 0115 986 3211
FAX: 0115 986 0145**

TABLE/POLE DANCING CLUB

MR JAMES EFTekhARI
**PROPRIETOR
THIRD LEISURE
Revised 18th April 2005.**

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1. INTRODUCTION

- The aim of this venue is to provide a Table/Pole Dancing facility with high operating standard targeting the local and business community both local and transitional. A high standard of personal appearance will be expected from our clients, who, in turn will receive excellent customer service.
- With a discreet location on the outskirts of the city, Isis has no local residents and its own car park. The venue may operate the same opening hours for both Isis (ground floor) and Senioritas (first floor) at the discretion of the Licensee within the hours allowed and subject to complying with the maximum occupancy figures stated on the relevant licence in force for the premises.
- The entrance to the entire venue will be as existing on the west face.
- These guidelines are designed to ensure that the venue operates in a safe, organised and professional manner.
- Compliance with these guidelines, which will be reviewed regularly, will contribute to the environment in which we operate being both safe and lawful for customers and employees alike.

2. MANAGEMENT DUTIES AND RESPONSIBILITIES

- During trading hours at least one member of management known as the Duty Manager will be in the trading area at all times.
- A Duty Manager will have successfully passed the level of competence as required by the British Institute of Innkeepers in relation to matters appertaining to licensing and Public Entertainment Licences or be in the process of doing so.
- It is the responsibility of the Duty Manager to implement the policies and guidelines of the company set out in this document and to ensure all legal requirements are met.
- The Duty Manager will make the final decision on entry into, or exclusion from the premises.
- All security staff must be trained and licensed according to the requirements of the city council and public entertainment licence. At the commencement of their shift all security staff are to sign in the Door Supervisor signing in book and their badge numbers are to be logged. At the end of the shift they are to sign out. It is the responsibility of the duty Manager to ensure that all security staff are registered and their registration badges are displayed at all times. Levels of security staff will be mainly dependant on trading levels, however, PEL requirements will be met at all times with at least one member of security on duty at the entrance and two internally.
- The Fire Book is to be checked by the Duty Manager prior to opening the premises to ensure that all checks are up to date. The "Pre-opening Checklist" must be completed prior to opening. At the close of business the "Closing Checklist" must be completed. These documents are attached as appendix G.
- Upon commencement of their shift all dancers are to log onto the Computer system. This system identifies each dancer by name and photographic image. The Duty Manager must ensure that only dancers logged onto the system are working.

- If there is a breach of club rules or these guidelines the person responsible shall be immediately escorted from the premises by the Duty Manager and a member of Security Staff with a view to returning for an investigative interview.
- It is the responsibility of the Duty Manager to ensure that all CCTV computer equipment is fully operational during every session and to report any defect to the General Manager. A log to confirm this is to be kept and all recordings will be retained for a period of thirty days.
- The Duty Manager will have a radio link to security staff at all times.
- The City Link Radio will be monitored and retained by the Duty Manager.
- It is the responsibility of the Duty Manager to ensure that all incidents are recorded in an Incident Book.
- When in the public part of the club all dancers must be visible to a member of management or security at all times.
- Dancers and Security Staff will be randomly searched for illegal substances and / or weapons (dancers only by female security staff or management).
- No alcohol is to be consumed by the Duty Manager prior to the commencement of, or during shifts under any circumstances.
- Smoking is only permitted in designated staff areas.
- Failure to comply with any of the above may result in disciplinary action and ultimately dismissal.

3. RECRUITMENT AND PERSONNEL INFORMATION

INTERVIEW AND SELECTION

- As part of the recruitment process all candidates will attend an interview. As part of this process all applicants will be expected to prove they are legally allowed to work, are over 18 years of age and have no criminal convictions relating to sex or drugs. Failure to provide such evidence may result in an offer of employment or a contract of services being withdrawn. These conditions are not exhaustive.

REFERENCE REQUEST

- No prospective employee or self employed person shall commence work until references have been applied for and satisfactory replies received.

DANCER DISCLAIMER (Appendix A.)

- All dancers will be required to sign A “Dancer Disclaimer Form” prior to commencing work. This requests any information relating to convictions for sex or drug offences and will form part of their induction pack retained in their personnel file. Prior to commencement of every shift dancers will be required to sign a disclosure from (Appendix B.) to confirm that the details contained in their application form and “Dancer Disclaimer Form” have not changed.

DANCER COMPLIANCE FORM (Appendix C.)

- Dancers will be required to sign a “Dancer Compliance Form” confirming that they fully understand the “Code of Conduct for Dancers” and agree to comply with it.

DANCERS DISCIPLINARY ACTION

- A dancer will be disciplined for infringement / breach of any of the rules contained in the “Code of Conduct For Dancers” (Appendix F.)
- The level of disciplinary action will depend upon the nature of the incident and /or severity of the incident. Repeated infringement / breach will also be a consideration.

- Recourse for discipline will be in line with employment law; however, the dancer may be required to pay contract damages that may range from £25 to the full house fee. The management reserves the right to suspend any dancer at any time pending an investigative interview.
- Any disciplinary action will be recorded on the dancer disciplinary records sheet (see appendix D).
- The General Managers decision is final.

UNIT INDUCTION

- Prior to commencing work all workers will take part in the unit induction process. This will consist of:
 - Unit Familiarisation
 - Introduction to and explanation of all Codes of Conduct
 - Licensing and Legal responsibilities
 - Health and Safety in the workplace
 - Drugs Policy and Procedures.

SIGNING IN AND OUT PROCEDURE

- At the commencement of each shift employees will sign in via the clock/time swipe card machine. In the case of dancers they will also be required to log onto the Computer system which will allow the Duty Manager to confirm the individual's identity by photographic image.

RECORD KEEPING

- Every employee and self employed person, including dancers, will have a personnel file. This will contain all details appertaining to their employment including application forms, right to work documentation, induction packs, training records, disciplinary notes and any contracts of employment or contracts of services. Should a person leave their file will be retained. The application form for any applicant will be retained.

DISCIPLINARY PROCEDURE

- In all cases this will be in line with employment law.

4. ADMISSION CONTROL

- Notices explaining conditions of entry will be posted at the entrance.
- No person may be refused admission on grounds of disability, colour, race or ethnic origin.
- Persons will be refused if:-
 - They are under the influence of alcohol (or appear to be)
 - They are under the influence of drugs (or appear to be)
 - They do not comply with dress requirements
 - They are unable to pay the admission charge
 - They are, or associate with, a known trouble maker or person deemed by the management to be unsuitable
 - Are under the minimum entry age.
- Admission must always be refused politely.
- Any incident relating to refusal of admission should be entered into the unit incident book.
- On entry to the premises the customer will receive a leaflet explaining the rules of the club concerning their conduct on the premises.
- When ground floor is being used simultaneously with Senioritas, admission to Senioritas will only be via the main stair well adjacent to the main entrance.
- The internal (second) stairwell shall not be available for use during simultaneous use and suitable notices shall be displayed at the top and bottom of the stairwell which shall also be monitored by members of security staff to prevent its use.

DRESS CODE

- There will be a strict dress code operated at all times as follows:-
- Smart Dress. Smart jeans are acceptable, although, not encouraged. Sportswear of any kind (including training shoes) will not be allowed. Headwear and outdoor coats and jackets should be deposited in the cloakroom at reception.

5. CUSTOMER SERVICE AND CODE OF CONDUCT

- On entering the venue the customer will be greeted on reception where they may be required to pay an admission fee. They will be given a copy of the "Code of Conduct for Customers" (Appendix E.)
- As they enter the main area they will be welcomed by a host / hostess who will ask them if they would prefer a table or would like to use one of the bars.
- If a customer requests a table they will be seated and introduced to their waiter / waitress, who will take their drinks / food order.
- If they go to the bar area they will be free to order their own drinks / food and mingle with other customers and dancers who are not dancing. They may at this point ask a dancer for a dance. They will then be taken to a table in a suitable area for the dance to take place.

CODE OF CONDUCT FOR CUSTOMERS (Appendix E.)

1. You must be seated before a dancer can commence a dance and you must remain seated throughout the dance.
 2. You must not touch any dancer at any time during the dance except when making payment into the dancers hand or garter.
 3. You must remain fully clothed during the dance.
 4. You must not dance at any time with the dancers.
 5. You must not proposition any of the dancers for inappropriate or illegal conduct, or, meet the dancers off the premises.
 6. You must be over 18 years of age. Where there is any doubt the only proof of age accepted is either a valid driving licence (new type with photo) or a passport.
 7. The club will not accept drunken or unruly behaviour at any time. Any person who is deemed to be intoxicated or unruly will be asked to leave the premises. Failure to comply with a reasonable request or continuation with such behaviour will result in your exclusion from the premises.
- Please note CCTV is used extensively within these premises in order to provide a safe environment for customers to enjoy their visit to the club.

6. DANCERS GOOD PRACTICE GUIDE:

- The dancers good practice guide is designed to ensure that the venue is operated in a respectable and professional manner at all times. The consequences of breaches of this guide, its restrictions and its code of conduct can have severe consequences both morally and legally. Any breach will have a detrimental effect on the good standing of the premises and may represent a breach in law or / and local authority requirements. As such, any such breach will be treated as gross misconduct.

CODE OF CONDUCT FOR DANCERS (Appendix F.)

1. When arriving at, and going from work your attire should be respectable to the area in which we operate. You must be smart and look respectful to the general public from outside the venue at all times. You should arrive quietly so as not to bring yourselves or the venue into disrepute.
2. Dancers are to arrive half an hour prior to commencement of their shift.
3. Dancers should sign in the staff signing in book, sign the "Dancers Disclosure Form" and log into the Computer System before the commencement of their shift.
4. When entering the floor area you should be appropriately dressed. Shoes must be worn at all times except when in the dancer's dressing room.
5. Hair, any make-up and any jewellery should be of good quality and reflect the standing of the establishment. It is imperative that this is maintained throughout your shift.
6. You may not give your telephone number, address or any contact information to any customer. Nor should you accept any telephone number, address or any contact information from any customer or make arrangements to meet a customer off the premises.
7. Dancers shall not be intoxicated at any time on the premises. Intoxicated individuals will be sent home and repeat incidents will be grounds for dismissal.
8. Chewing gum is not permitted at any time. Smoking is permitted only in designated areas when seated with a customer who also smokes. Eating is only allowed during breaks and in designated areas.
9. **STAGE PERFORMANCES/POLE DANCING.**
Two stages each with two dance poles will be provided to allow for two topless dancers to perform simultaneously on each of the

stages. The pole dancing may also be filmed and shown on the projector screen and television monitors provided inside the premises. Occasional stage performances will take place during the course of each shift. On such an occasion no more than two dancers may use the stage at any one time.

There is to be no interaction between the dancers during these performances. Dancers for stage performances are to be topless only.

10. DANCE PERFORMANCES.

Topless Dances may be performed at tables in the main floor area or designated booths; and nude dances may only be performed in the area of designated booths, in accordance with previously approved plans.

11. Dancers will not perform in such a way as to show the customer their genitalia.
12. If a customer attempts to touch you or speak to you inappropriately during a stage or tableside performance immediately cease the performance and remind them of the rules of the club that were issued to them on entry. If the customer again breaches the club rules they will be spoken to by club security that may require them to leave the premises.
13. **PROSTITUTION.** Selling any form of sexual favours is prohibited. This will be deemed as gross misconduct and may lead to dismissal.
14. **SOLICITATION.** Accepting a customer offer of payment in return for sexual favours, whether or not you actually have any intention to commit the act, will be deemed as gross misconduct and may lead to dismissal.
15. **DRUGS.** The clubs policy in relation to drugs is clearly outlined in the Company Drugs Policy.
16. **SPOUSES/PARTNERS** are not permitted in the club during any shift in which you are working. Furthermore, if you see a customer enter the club whom you know outside the working environment you must inform the Duty Manager immediately.
17. Dancers will either leave at the end of their shift in a nominated taxi, or a member of security will escort them to their car and off the premises.
18. A dancer may not leave the premises during a shift, except in an emergency and only with the express permission of the Duty Manager. In all cases the Dancer must sign out and log off the

computer system.

19. A dancer that has left early will not be re-admitted to the shift that they left or the proceeding shift unless this is at the request of the Duty Manager.
20. All dancers will be required to sign a "Dancer Disclaimer Form" prior to commencing work. This requests any information relating to convictions for sex or drug offences. Prior to commencement of every shift dancers will be required to sign a "Dancer Disclosure Form" to confirm that all the details contained in their application form and "Dancer Disclaimer Form" have not changed.
21. All dancers will be required to sign a "Dancer Compliance Form" confirming that they fully understand the "Code of Conduct for Dancers" and agree to comply with it.
22. The company employs extensive use of recorded CCTV. Regular compliance checks of performances will be made. Mystery shoppers will also be employed to pose as customers. The results of these checks will be forwarded to the Proprietor of the Company and may be used in any disciplinary action against you. Dancers must acknowledge and agree to the use of CCTV as part of their terms of employment.
 - The company maintains a zero tolerance policy regarding breaches of the above rules.

7. DRUGS POLICY:

PHILOSOPHY

The company disapproves of drug misuse and its associated culture. We make no concession that will encourage staff or customers who want to use our premises for such purposes. Whilst we offer care and assistance to any member of staff or customer in difficulty, it is the policy of the company that anyone found in possession, trying to sell or buying any illegal substance would be reported to and arrested by the Police.

THE COMPANY POLICY AS IT APPLIES TO STAFF MEMBERS:

1. The company will not employ anyone who is known as an illegal drug user.
2. The possession or distribution of drugs for non-medical reasons when on company business either on or off the premises is strictly forbidden.
3. If you are prescribed drugs that may affect your performance at work you must inform your Duty Manager at the earliest opportunity.
4. The company reserves the right to search any employee or employee's property brought onto company property by the employee if there are reasonable grounds to suspect that the employee is in breach of the company drugs policy. Refusing to comply will normally be treated as gross misconduct and may result in disciplinary action being taken.
5. Any employee arrested for a drug-related offence, even out of work, will be considered to be in breach of the company's Drug Policy. The company will take disciplinary action under such circumstances.
6. Any employee who suspects another of drug abuse should report this to the Duty Manager.
7. If the company suspects an employee of misuse of drugs, the company reserves the right, at its expense, to request the employee to undergo a medical examination to confirm / refute this. Refusing to comply will normally be treated as gross misconduct and may result in disciplinary action being taken.
8. As part of its staff development the company will endeavour to educate and inform employees about the consequences of drug abuse.

This Policy will be reviewed annually.

8. MARKETING POLICY

Aim:

The aims of all marketing activity will be as follows:-

- To create an image of excellence and exclusivity
- To make people aware of the venue and the standards expected in relation to customer profile
- Always to portray a positive image and not to degrade the venue, its customers or its staff in anyway
- To respect the privacy of clients at all times

Target Market:

The venue will be targeted mainly to the business sector in the following ways:-

- By pre-arranged visits to businesses to discuss opportunities with senior management
- By building relationships with hotels that target a business client base
- By advertising in local and national media publications that target a transitional business market

It is anticipated that the local market will provide a cross section of potential clients with differing reasons for visiting the venue. No local marketing will take place that will portray that the venue as anything but a reputable venue providing alternative entertainment in a "High Class" environment.

9. OPERATING POLICY

Admission Charges:

A minimum entrance charge of £5.00 shall be made to Senioritas on all occasions, although this may be waived for those holding a platinum VIP card; and their guests.

Dance Prices:

A minimum charge of £5.00 and £10.00 shall be made for topless and nude dances respectively.

Payment Policy

All payments for admissions are to be made at reception. Customers may purchase dance tokens at reception with which to pay for their dances. Payment for food or drink will be made in the usual way at the bars or through a waiter / waitress.

Music

Music will be provided via a mixture of CD, DJ and Presenters.

Music type will vary through the day, however, in the main this will be as follows:-

AM Session	Classic Chart, Soft Rock and Dance Anthems
PM Session	Dance Anthems, Up To Date Chart, Rock Anthems

Gender Guidelines

From time to time the club may operate Ladies Nights. On such nights only male dancers will perform. The club will not operate mixed sessions where both male and female dancers appear.

APPENDIX

- A. DANCER DISCLAIMER FROM
- B. DANCER DISCLAIMER DISCLOSURE FORM
- C. DANCER COMPLIANCE FORM
- D. DANCER DISCIPLINARY RECORD SHEET
- E. CODE OF CONDUCT FOR CUSTOMERS
- F. CODE OF CONDUCT FOR DANCERS
- G. PRE-OPENING / CLOSING CHECKLIST
- H. DOOR SUPERVISOR / SECURITY STAFF SIGNING IN BOOK
- I. CCTV DAILY LOG

A. DANCER DISCLAIMER FORM

I _____ certify that I have no criminal convictions or pending prosecutions for sex or drug related offences.

Furthermore, I hereby authorise Third Leisure, to carry out an external background check on me should they require so to do. I also agree to my image being recorded on CCTV for reasons of compliance and security in line with the Data Protection Act.

The following details are required in order to carry out checks to establish suitability for the role you have applied for. Failure to provide the correct information may result in any offer of employment being withdrawn.

Birth Details (as supplied on your birth certificate)

- First Name _____
- Surname _____
- Other Name _____
- Place of Birth _____

Current Name if different from above (as on current passport or driving licence)

- Full Name _____
- Surname _____
- Other Name _____
- Stage Name _____
- Signed _____ Dated _____

-E. CODE OF CONDUCT FOR CUSTOMERS

1. You must be seated before a dancer can commence a dance and must remain seated throughout the dance.
2. You must not touch any dancer at any time during the dance except when placing your payment into the dancers hand or garter.
3. You must remain fully clothed during the dance.
4. You must not dance at any time with the dancers.
5. You must not proposition any of the dancers for inappropriate or illegal conduct, or, meet the dancers off the premises.
6. You must be over 18 years of age. Where there is any doubt the only proof of age accepted is either a valid driving licence (new type with photo) or a passport.
7. The club will not accept drunken or unruly behaviour at any time. Any person who is deemed to be intoxicated or unruly will be asked to leave the premises. Failure to comply with a reasonable request or continuation with such behaviour will result in your exclusion from the premises.

Please note that CCTV is used extensively within these premises in order to provide a safe environment for customers to enjoy their visit to the club.

F. CODE OF CONDUCT FOR DANCERS

1. When arriving at, and going from work your attire should be respectable to the area in which we operate. You must be smart and look respectful to the general public from outside the venue at all times. You should arrive quietly so as not to bring yourselves or the venue into disrepute.
2. Dancers are to arrive half an hour prior to commencement of their shift.
3. Dancers should sign in the staff signing in book, sign the "Dancers Disclosure Form" and log into the Computer System before the commencement of their shift.
4. When entering the floor area you should be appropriately dressed. Shoes must be worn at all times except when in the dancer's dressing room.
5. Hair, any make-up and any jewellery should be of good quality and reflect the standing of the establishment. It is imperative that this is maintained throughout your shift.
6. You may not give your telephone number, address or any contact information to any customer. Nor should you accept any telephone number, address or any contact information from any customer or make arrangements to meet a customer off premises.
7. Dancers shall not be intoxicated at any time on the premises. Intoxicated individuals will be sent home and repeat incidents will be grounds for dismissal.
8. Chewing gum is not permitted at any time. Smoking is permitted only in designated areas when seated with a customer who also smokes. Eating is only allowed during breaks and in designated areas.
9. **STAGE/POLE DANCING PERFORMANCES.** Occasional stage/pole dancing performances will take place during the course of each shift. On such an occasion no more than two dancers may use the stage at any one time.
There is to be no interaction between the dancers during these performances. Dancers for stage performances are to be topless only.
10. **TABLE/BOOTH DANCE PERFORMANCES.**
Topless dances may be performed at tables in the main floor area or designated booths; and nude dances may only be performed in the area of designated booths in accordance with previously approved plans.

11. Dancers will not perform in such a way as to show the customer their genitalia.
12. If a customer attempts to touch you or speak to you inappropriately during a stage or table performance immediately cease the performance and remind them of the rules of the club that were issued to them on entry. If the customer again breaches the club rules they will be spoken to by club security that may require them to leave the premises.
13. **PROSTITUTION.** Selling any form of sexual favours is prohibited. This will be deemed as gross misconduct and may lead to dismissal.
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15. **DRUGS.** The clubs policy in relation to drugs is clearly outlined in the Company Drugs Policy.
16. Spouses or Partners are not permitted in the club during any shift in which you are working. Furthermore, if you see a customer enter the club whom you know outside the working environment you must inform the Duty Manager immediately.
17. Dancers will either leave at the end of their shift in a nominated taxi, or a member of security will escort them to their car and off the premises.
18. A dancer may not leave the premises during a shift, except in an emergency and only with the express permission of the Duty Manager. In all cases the Dancer must sign out and log of the computer system.
19. A dancer that has left early will not be re-admitted to the shift that they left or the proceeding shift unless this is at the request of the Duty Manager.
20. All dancers will be required to sign a "Dancer Disclaimer Form" prior to commencing work. This requests any information relating to convictions for sex or drug offences. Prior to commencement of every shift dancers will be required to sign a "Dancer Disclosure Form" to confirm that all the details contained in their application form and "Dancer Disclaimer Form" have not changed.
21. All dancers will be required to sign a "Dancer Compliance Form" confirming that they fully understand the "Code of Conduct for Dancers" and agree to comply with it.
22. The company employs extensive use of recorded CCTV. Regular compliance checks of performances will be made. Mystery

shoppers will also be employed to pose as customers. The results of these checks will be forwarded to the Proprietor of the Company and may be used in any disciplinary action against you. Dancers must acknowledge and agree to the use of CCTV as part of their terms of employment.

- The company maintains a zero tolerance policy regarding breaches of the above rules.
- I confirm that I fully understand the above conditions relating to the “Code of Conduct for Dancers” and agree to abide by them.

- First Name _____
- Surname _____
- Other Name _____
- Stage Name _____
- Signed _____
- Dated _____

G. PRE OPENING / CLOSING CHECKLIST

PRECAUTIONS TO BE TAKEN BEFORE OPENING

DAILY CHECKS

Check that;

- All exit doors are unlocked and readily available for use
- All removable fastenings are removed from exit doors and hung in their storage position
- All emergency fastenings are working effectively
- All exit routes and exit doors, both internal and external, are free from obstruction (including cars)
- Fire doors are not wedged or propped open.
- There are no obvious fire hazards such as large quantities of waste material.
- The appropriate number of staff are present.
- Fire detection and alarm systems
 - The control panel indicates normal operation and any faults logged and action(s) taken
 - Any fault recorded the previous day has received attention
- Emergency and escape lighting
 - All lamps on the maintained system are lit

Inspection of all items above has been made

Date	Inspected By	Variance Found	Remedial Action Taken

PRECAUTIONS TO BE TAKEN AT CLOSE OF BUSINESS

DAILY CHECKS

Check that;

- All ashtrays have been emptied into a metal container having a metal lid. The container is to be used for this purpose only and the contents disposed of safely
- All seating, as far as is practicable, has no lighted smoking materials present
- All upholstered seating has no damage to covers and exposure of the filling material
- Any combustible waste or rubbish has been removed from the premises and stored in a safe place
- All areas in use that day, particularly low circulation areas, have no materials present which could start a fire or cause a fire to spread
- All windows and doors are closed
- Any electrical equipment not in use is switched off and unplugged where appropriate

Inspection of all items above has been made

Date	Inspected By	Variance Found	Remedial Action Taken

CITY OF NOTTINGHAM

SPECIAL LICENSING PANEL

RECORD OF THE LICENSING AUTHORITY'S DETERMINATION ON INTERIM STEPS PENDING REVIEW (SECTIONS 53A AND B OF THE LICENSING ACT 2003)

1. Date of Consideration	8 September 2009
2. Panel/Committee members present	Councillor Cresswell Councillor Grocock Councillor Ibrahim
3. Legal Advisor and other persons present	Ann Barrett (Legal advisor) Sue Houghton (Committee Administrator)
4. Declarations of interests by members and officers	None
5. Premises being summarily reviewed	Isis and Senotitas, Redfield Way, Lenton Nottingham NG7 2UW
6. Name of Premises Licence Holder	Third Leisure
7. Material taken into consideration	<ol style="list-style-type: none">1. Application for Summary Review dated 4 September 2009 and received on 4 September 20092. Premises Licence3. Letter from John Kent Solicitors dated 7 September 2009 enclosing details of student bookings, e-mail from Dave Browitt of Nottinghamshire Police regarding an event at the premises on 30th August 2009, and risk assessment for an event on the 30th August 2009
8. Issue for determination	Whether it was necessary and proportionate to take any of the following interim steps to ensure the promotion of the licensing objectives:- <ul style="list-style-type: none">• modification of the conditions of the licence• exclusion of the sale of alcohol from the licence• removal of the designated premises supervisor;• suspension of the premises licence and if so the date upon which such modification(s) should take effect.
9. Decision	The Panel considered the application and the letter and enclosures submitted by Mr Kent. The Panel were aware of the history of this licence holder and DPS referred to in the Police application (regarding a fatality and

serious incident of crime and disorder at other premises which had been operated by them,) and tended to support the Police's concerns regarding the management of the application premises. Whilst Mr Kent's submissions alluded to problems only occurring at R and B events the Police application was more general in nature and at this stage the Panel was not satisfied that the condition offered by Mr Kent would be sufficient to prevent serious crime or serious disorder occurring on the premises.

Bearing in mind the matters outlined in the Police application and the terms of the current licence the Panel found:-

1. It would not be appropriate to modify the conditions of the licence. The licence currently contained a large raft of conditions and in addition the panel had had sight of the risk assessment for the event of the 30th August when the incident had occurred informing them that in addition to the existing conditions there had been additional paid policing at this event. Notwithstanding all of these controls the serious incident had occurred. The Panel was not therefore satisfied that the addition or modifications of conditions would address their concerns. It was also noted in passing that according to Mr Kent up to 2000 students may attend events at the premises when the existing conditions only allow 1900.
2. The exclusion of the sale of alcohol would not address the Panel's concerns regarding the management of the premises or the use of drugs on the premises (which appeared to have been accepted in Mr Kents letter).
3. The removal of the DPS would merely mean that alcohol could not be sold until a new DPS was in place. This would not address management concerns as the Licence Holder (effectively the current DPS) would still remain in control.
4. Whilst economic considerations had been taken into account it appeared both necessary and proportionate to suspend the licence pending review in order to promote the licensing objectives and prevent serious crime and disorder at the premises.

The premises licence was therefore suspended with immediate effect.

Signed: Councillor D Cresswell

Dated: 8 September 2009

JOHN KENT SOLICITORS

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Mobile: 07535621481 Fax: (0115) 993 4241

Email: john@johnkentslc.co.uk

Date: 9th September 2009

My Ref: JMK/SK/1508

Your Ref:

Licensing Manager
Nottingham City Council
Lawrence House
Talbot Street
Nottingham NG1 5NT

Dear Sir

Isis and Senoritas – Suspension of Licence Application for Interim Measures Hearing Section 53A and Section 53B Licensing Act 2003

Further to the letter already sent to you this morning and my telephone conversation with Zoey Mayes to acknowledge receipt, I am sorry I did not state within my letter the representations I wish to rely on at the hearing.

I am sorry if there was a misunderstanding on my part about the need to make my representations in the letter, due to the expedited nature of this procedure, I believed it was simply necessary to request the hearing so representations can be made at the hearing.

Nevertheless, I confirm that it is intended to expand on the representations already made in my letter dated 7th September 2009, which was considered by the Panel when the decision was made to suspend the licence.

I therefore confirm I do require that letter and enclosures to be considered by the Panel reviewing the Interim Measures decision taken already; however it should be understood that letter was fairly brief because it was intended merely to address the fact that it is my understanding that it is only when my client runs special promoted R & B style events on Bank holiday Sundays and other special occasions during the year that there is a (serious) risk of crime and disorder occurring at the premises.

Since the purpose of the Summary procedure is to decide what interim measures are necessary to promote the prevention of crime and disorder licensing objective I considered it necessary to bring to the Panel's attention that no further events have been planned for the rest of this year (save perhaps Boxing Day and New Year), and wished to provide some reassurance by agreeing to the condition being imposed prohibiting these sort of events being held at the premises unless specifically agreed by the Police; it being the case that the Police would not be likely to agree, and without such agreement these events simply will not take place again.

It must be emphasised I have not yet received any information or disclosure of any evidence that might be used by the Police in the review application, save for the information contained in the Notice of Application and Certificate signed by the Police Superintendent which is only general in its terms and whilst it is acknowledged a serious incident occurred shortly before the premises closed it is difficult to make any informed decision as to how much responsibility for this incident should be attached to the Licence Holder until such time that the relevant evidence has been seen and considered.

It must of course be recognised that serious incidents and disorder do occur in and around licensed premises but the primary concern of the Licensing Panel is whether it is now satisfied the Licence Holder is taking adequate steps to address and promote the licensing objectives, in particular the prevention of crime and disorder. It is my submission that if the premises do not hold any more "high risk" events, this licensing objection is being positively promoted; although it is recognised because these premises do provide a wide range of facilities it is necessary to address the wider issues to satisfy the Committee that if the premises licence suspension is lifted pending the hearing of the Review application they can be satisfied that if the premises reopen there will be no risk of serious crime and disorder occurring or reoccurring at the premises or in the immediate vicinity.

In this respect it must be emphasised that James Eftekhari is a very experienced licensee having been involved in the licence trade in Nottingham for over 20 years and having operated these particular premises operating as Isis Nightclub for over 6 years and Senioritas Table Dancing venue (on the first floor only) for the last 5 years.

I have represented James Eftekhari in his licensing matters for the last 10 years or so and over these years have generally been involved in most of his licensing applications and have therefore had regular contact with the Police and other authorities regarding his various activities.

So far as Isis and Senioritas is concerned I can say that in the last 4 years or so the premises primarily operate as Senioritas on the first floor only 5 or 6 days of the week and having regard to the nature of the entertainment and other facilities available it is my understanding that the Police have only ever been called because of incidents involving Senioritas on perhaps 2 or 3 occasions in all this time.

It is therefore submitted that if the premises were allowed to remain open purely for the benefit of providing facilities for Senioritas there would be no risk of serious crime or serious disorder occurring at all.

I am also aware that during the academic year for the last 5 or 6 years the premises have operated a student night on a Wednesday for the benefit of Nottingham University students; and confirm I have been in attendance on several occasions when student nights occur, and again whilst these nights are exceedingly popular again it is my understanding that no serious crime or disorder occurs on these nights; although it is accepted some incidents have occurred when police may have been called they would not be classed in my view as incidents involving serious crime and disorder. (It is my understanding the definition of a serious crime is one where a person over 21

years without previous convictions would expect to receive a sentence of at least 3 years imprisonment).

Regarding student nights I do consider it appropriate just to comment that when I said in my letter of the 7th September that perhaps as many as 2,000 student would be in attendance it should be appreciated this was my comment talking in round figures without reference to the licence or indeed my client or anyone representing my client to check what the maximum occupancy figure is.

It is accepted the maximum occupancy would be 1900 persons at any given time; but of course during the course of the night with people coming and going it is of course still possible that 2,000 or more people might attend over the course of a night.

It is respectfully requested that no adverse inference is drawn i.e. that my client exceeds the maximum occupancy figure merely because I loosely referred to the figure of 2,000.

The point I am making is that these student nights have occurred every week for approximately 9 months for the last 5 years or so, so far as I am aware without giving cause for Police concern re crime and disorder or indeed ensuring public safety.

Needless to say my client always ensures that he has an adequate number of SIA registered door staff as well as fire marshals, toilet attendants, bar supervisors, taxi marshals and car park attendant on these and other busy nights.

In addition to the student nights these premises are also used for occasional sporting events e.g. boxing, wrestling and cage fighting and again it is my understanding these have not resulted in serious crime and disorder.

As stated in my letter of 7th September it is my understanding the only time there is a real risk of serious crime or serious disorder occurring at these premises is when he operates the special promoted events and it is therefore my submission that if these events are prevented from occurring at these premises again e.g. by way of condition either as a blanket prohibition or as suggested by me a qualified prohibition (i.e. unless previously agreed by the Police Licensing Manager and/or Area Police Commander) the Panel can be reassured that the Licensing objective to prevent crime and disorder and indeed to ensure public safety is being properly and adequately addressed so far as these premises are concerned.

It is submitted this would be a proportionate response, especially bearing in mind this is only an interim measure until such time that the full hearing can take place.

Whilst I know the Police and perhaps the Local Authority may say they are not concerned about economic consequences arising out of a Panel decision I would submit that the law is quite clear in that any decision a Panel makes must be proportionate having regard to all the circumstances of the case and it therefore follows this must take account of the economic and personal consequences that may flow from a decision which has the affect of preventing the operation of the premises.

I therefore confirm the effect of suspension even for a matter of only 3 or 4 weeks will have very serious and significant financial consequences for my client not least because he purchased the freehold of these premises approximately 2 years ago I believe for a sum in the region of £2.5 to £3 million pounds, the purchase being

finances by a mortgage or mortgages on both these premises and other premises owned by my client.

Clearly such financial arrangements carry a very high monthly commitment and if he cannot trade these premises in the interim it will inevitably result in him failing to make mortgage payments which could result in due course in repossession and loss of the premises; and in my view could result in personal bankruptcy and therefore the loss of his other licensed premises in Nottingham, the Bentinck Hotel.

Furthermore a significant number of employees perhaps as many as 30 to 40 will all be affected in that whilst the licence is suspended they will not be able to work at these premises and that then raises an interesting question as to whether or not my client will be able to pay their wages even though they are not working which will cause not only the individual employees financial difficulties but possible further financial difficulties for my client.

It is my genuine belief the Police would acknowledge that generally these premises operate as Senoritas and also for the student (and sporting event) nights generally without causing them any real concern; and I also believe they will acknowledge that when he does run the special events e.g. Bank holiday Sundays he always consults with the Police Licensing first and so far as I am aware generally always pays for a police presence, the number of police officers agreed in advance for specified hours, and he always ensures he has a large number of SIA security staff employed on these occasions with all customers being metal detected and then individually searched as appropriate; as well as providing a risk assessment, which in my view demonstrates that he does take his responsibilities under the Licensing Act seriously; and whenever the Police have specifically advised him not to run an event because they are aware that there is a risk of serious crime and disorder he has agreed to cancel the event even though this was at personal expense to himself (example this recently occurred after the Afro-Caribbean carnival when he was having a "Beenie Man" concert at Isis but on receiving advice from the Police Superintendent he cancelled the event.

It should be appreciated this letter of representation has been done by me having regard to my general information regarding these premises and also as a result of information received from his staff and also only limited communications direct with James because he has been in Iran for the last 7 days, and indeed only this morning I have now received news to say that his mother's illness has deteriorated (following a stroke) and he might not now return tomorrow evening.

I therefore reserve the right to make further representations and/or to elaborate at the hearing bearing in mind I have still not received any detailed information from the Police as to why they have now completely lost confidence in James since he has clearly demonstrated over the years his clear intention always to co-operate with the Police and endeavour to operate his premises responsibly and in accordance with the Licensing Act objectives.

This brings to mind that I have not even yet begun to address the Licensing Act Guidance and it must be stated that Licensees cannot be held personally responsible for the irresponsible and criminal behaviour of their clientele.

Furthermore I have not addressed any issues arising out of the unfortunate death which occurred at Cuba Libre three years ago as it is not clear to me how the

extraordinary incident which occurred there which resulted in the death is relevant to the particular issues which relate to this Interim Measures hearing as against the wider issues which might be relevant at the full review hearing.

In any event because this issue was so long ago I would possibly need several hours to look through the original papers relating to Cuba Libre to remind myself of all the relevant issues that arose as a result of that most unfortunate incident.

I therefore reserve the right also to make further representations regarding this incident if considered necessary and appropriate to do so at the hearing.

Since I now have to depart for Court in Leicester I also reserve the right to refer to the Licensing Act Guidance as appropriate at the hearing.

Yours faithfully

John M Kent

cc: Ann Barrett, Local Authority Solicitor
Heather Middleton, Police Force Solicitor
James Eftekhari, Isis

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Email: john@johnkentalc.co.uk

Date: 9th September 2009

My Ref: JMK/SK/1508

Your Ref:

Licensing Manager
Nottingham City Council
Lawrence House
Talbot Street
Nottingham NG1 5NT

Dear Sir

Isis and Senoritas – Suspension of Licence Application for Interim Measures Hearing Section 53A and Section 53B Licensing Act 2003

I confirm receipt of your Notice of Determination of interim steps following an application Summary review of the premises licence, and in view of the decision to suspend the licence I confirm I have been instructed to request an Interim Measures Hearing as soon as possible, so representations can formally be made to the Licensing Panel to request the lifting of the suspension until such time that there is a formal hearing of the review application at the end of the month.

Whilst I confirm my client, James Eftekhari, will not be returning from Iran until Thursday evening, I have now received specific instructions to request the hearing is fixed as soon as possible, even if this means the hearing takes place on Thursday before his return.

In the circumstances I should be grateful if you will kindly make the arrangements for the hearing to be fixed as soon as possible and as soon as a time and date has been fixed should be grateful to receive telephone confirmation so I can then make my arrangements around the hearing time fixed.

I therefore look forward to hearing from you as soon as possible.

I bring to your attention that I will be in Leicester Magistrates Court this afternoon so should be grateful if you let me know if at all possible before 1.00 pm today or alternatively please call and let my secretary know as I will clearly need to know sometime during the course of today as to whether or not the hearing is to be on Thursday or Friday and whether or not it will be fixed in the morning or afternoon.

Yours faithfully


John M Kent

cc: Ann Barrett, Local Authority Solicitor
Heather Middleton, Police Force Solicitor
James Eftekhari, Isis

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Mobile: 07535621481 Fax: (0115) 993 4241

Email: john@johnkentslc.co.uk

Date: 7th September 2009

My Ref: JMK/SK/1508

Your Ref:

Community & Culture - Licensing

Licensing Manager
Nottingham City Council
Lawrence House
Talbot Street
Nottingham NG1 5NT

URGENT

Also by email: Zoev.Maves@nottinghamcity.gov.uk

Dear Sir

Time received _____

- 8 SEP 2009

**Isis and Senoritas, Redfield Way, Lenton
Section 53A Licensing Act 2003 Review – Interim Measures**

I act for and on behalf of James Eftekhari who is the Proprietor of Third Leisure who holds the Licence for the above premises and have been instructed to respond to the Review Notice served on the premises on Friday.

Firstly I wish to bring to your attention that I have not been able to meet with James to discuss this application because he had to go to Iran early last week when he received information to say that his mother was taken seriously ill, however, having spoken to him late on Friday I understand he intends to return on Thursday this week.

In the meantime I should be grateful if the Licensing Panel will have regard to the following information and brief representations.

Having regard to the incident which occurred at the premises on the Sunday night of the Bank Holiday weekend, it is acknowledged a serious incident occurred, involving crime and disorder, (resulting in one person receiving wounds outside at the rear of his premises) and it is appreciated and accepted why the Police should now wish to seek a review of the premises licence; however it is submitted that what happened at the premises at this event, which was a special bank holiday event (run along similar lines as other promoted events which are normally only arranged for bank holiday weekends and special occasions), it is submitted it would not be reasonable or proportionate for the premises licence to be suspended pending determination of the review application.

The reason it is submitted it would not be proportionate to suspend the licence is because these "R & B" type events are "one off" occasions only happening approximately 6 times a year and no further similar events have been arranged for the rest of this year; and therefore there is no immediate risk of crime and disorder occurring at these premises in the interim.

Furthermore suspension of the licence would prevent the premises operating Senioritas which is primarily a table/pole dancing venue operating either 5 or 6 nights of the week (the premises are usually closed on Sunday) in particular on Friday and Saturday nights when there are frequent bookings for Stag and Hen parties; and also for the Students of Nottingham University for various events in the Freshers Fortnight beginning 20th September and then every Wednesday thereafter during term time.

It is also understood all these nights operate without any (serious) crime or disorder occurring (the student nights with perhaps as many as 2,000 students in attendance).

It is therefore submitted it would be disproportionate if the Licence Holder were prevented from allowing his premises to be used for these purposes, especially bearing in mind I understand the only trouble that ever really occurs at these premises is when he operates the special promotion events which by and large are only held on a bank holiday weekend and usually attracting a very large Afro-Caribbean clientele, which it seems then results in trouble being caused between the rival groups or individuals that attend these events. It is also my understanding these people usually only attend these special promoted events, so there is no real risk of there being any further conflict arising at these premises if similar events are not held in the future.

In recent years it has always been acknowledged that these promoted events are "high risk" so are always the subject of prior consultation with the Police Licensing Officers at Central Police Station in particular David Browitt, when it is always agreed to pay for Police Officers to be in attendance (see copy email received from Dave Browitt agreeing to one Sergeant plus nine Police Officers to be employed at this event on 30th August) and of course in addition he usually has a large number i.e. 15 or more SIA registered door staff on duty as well as employing airport style metal detector and hand-held metal detectors for checking all paying customers entering the premises.

Whilst much more could be said regarding the events of the particular night. I wish to keep this relatively short and to reassure the Panel that the usual day to day operation of these premises does not give rise to serious crime and disorder and my client is therefore agreeable to the Licensing Panel exercising its function under Section 53B (Interim steps to be taken pending review) to impose a condition stating:

"The premises shall not be used for licensable activities for any R & B or other similar event promoted or otherwise which might give rise to serious crime and disorder without prior reference to and agreement of the Police Licensing Manager and Police Area Commander, and if agreed to comply with all the reasonable requirements of the Police including providing a written risk assessment which must be approved before the event is held".

If this condition were imposed this would then allow the premises to continue operating as Senioritas on the first floor and also for the student events already organised from the 20th September 2009 (see copy bookings and statement enclosed from Jol Maltby and Andrew Smith, Directors of Ipsos Facto Limited who are responsible for running the student nights); without risking serious crime and disorder occurring in the interim.

It should of course be recognised that at this stage the Licensing Committee are only considering what interim measures need to be taken to prevent crime and disorder until such time that an informed decision can be made after considering all the relevant evidence and representations from all interested parties in connection with this application, at a full hearing, which I understand will be in 3 weeks on 29th September (or thereabouts).

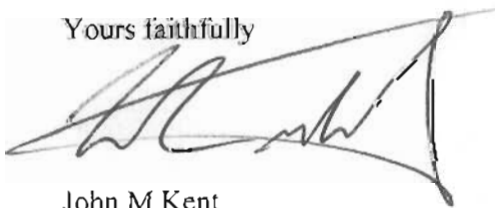
At this time it should be noted that the Police Licensing office are presently unable to provide any advance disclosure of the evidence they have at the present time because the investigation into the criminal offences which may have been committed is still ongoing and they have yet to receive formal statements and any other relevant evidence gathered in connection with this matter.

It is for this reason I make no detailed comment about the alleged "blatant use of drugs in the premises", other than to say James and Hutan (head of Security) have advised me they did become aware of cannabis being smoked in the premises because of the pungent smell but when they checked and made searches they could find no one smoking so no action could be taken other than to advise other security staff to be alert to this problem; and it is understood before the incident occurred shortly before the event was due to finish at 4.00 pm no person had been found openly smoking inside the premises. Apart from the apparent smoking of cannabis on this night there is no knowledge of any other drug use in the premises.

In all the circumstances I respectfully request the Licensing Panel consider this letter and enclosures, before deciding whether or not it is necessary, proportionate, and in the public interest to suspend the licence (requested by the Police) rather than simply imposing a blanket prohibition on events which provide a risk of crime and disorder taking place at the premises without prior reference to and agreement of the Police; which in my submission would adequately deal with the prevention of crime and disorder and ensuring public safety licensing objectives in the interim which I understand to be the primary purpose of the expedited interim measures procedure.

I confirm I will be in attendance at the Council House at 10.00 am should the Panel wish to hear from me further before making a decision.

Yours faithfully

A handwritten signature in black ink, appearing to read 'John M Kent', written over a white background.

John M Kent

cc: Heather Middleton, Police Force Solicitor
Ann Barrett, Local Authority Solicitor
James Eftekhari, Isis & Senoritas

Statement from the Directors of Ipso Facto Ltd

Our company has been running the student nights at Isis nightclub for the past four years. The events we put on cater for students from the University of Nottingham and the door policy is strictly no entry without photo ID and a valid student card. We have no history of our events directly causing or contributing to serious crime and disorder and as such we would plead that the license is not suspended.

Commencing Sunday 20th September we have four student events scheduled over consecutive days for the student's first week back. Sunday night is an official event, booked by the University's charity organisation Karnival, and is a welcome back to Nottingham University students.

On Monday 21st and Tuesday 22nd September we are booked by the University's Week One committee. Week one organise events for first year students at the university who arrive that week. They have similar events that week being held at other venues in the city including Ocean, Oceana and also Rock City.

Wednesday 23rd September is our first weekly official student night which is run in conjunction with the University. We trade for 33 weeks of the year from September to June. The age group for this event is 18 to 22 and the music policy is pop and chart. This event, by its very nature of catering only for University students, in our opinion, poses no risk to crime and disorder and adheres strictly to all the licensing objectives.

The suspension of the licence would have a massive negative impact on our company, on our staff and our team of sales reps. The loss of such a substantial amount of business during this period would certainly require us to make redundancies.

Jol Maltby

Andrew Smith

Directors.

Ipso Facto Ltd.

Registered office:

3, The Banks, Bingham, NG13 8BL

Company registered in England 06020429.

ALL BOOKINGS – (070909 – 311209)

STUDENT NIGHTS

<u>DATE</u>	<u>AGENCY</u>	<u>NAME</u>	<u>TELEPHONE NUMBER</u>	<u>NUMBER ATTENDING</u>	<u>TIME</u>	<u>PACKAGE</u>
20 SEPT 09	STUDENT NIGHT	JOL MALTBY	07815820670	1000-2000	9PM-3AM	STUDENT PARTY
21 SEPT 09	STUDENT NIGHT	JOL MALTBY	07815820670	1000-2000	9PM-3AM	STUDENT PARTY
22 SEPT 09	STUDENT NIGHT	JOL MALTBY	07815820670	1000-2000	9PM-3AM	STUDENT PARTY
23 SEPT 09	STUDENT NIGHT	JOL MALTBY	07812820670	1000-2000	9PM-3AM	STUDENT PARTY
30 SEPT 09	STUDENT NIGHT	JOL MALTBY	07815820670	1000-2000	9PM-3AM	STUDENT PARTY

Student Nights

All student nights are ONLY students from the university. Proof of age and a valid NUS card is required on entry.



RE: Event 30th August 2009

Tuesday, 25 August, 2009 / 11 AM

From: "Browitt, David" <david.browitt@nottinghamshire.pnn.police.uk>
To: "JAMES EFTEKHARI" <isisnightclub@yahoo.co.uk>
Cc: "Hughes, Irene" <irene.hughes@nottinghamshire.pnn.police.uk>, "Haylett, Stephen, CH INSP" <stephen.haylett@nottinghamshire.pnn.police.uk>

James

Thanks

Dave

-----Original Message-----

From: JAMES EFTEKHARI [mailto:isisnightclub@yahoo.co.uk]
Sent: 24 August 2009 15:53
To: Browitt, David
Subject: Re: Event 30th August 2009

Hi Dave

I can confirm receipt of your email and agree to the terms

Kind regards
James Eftekhari
THIRD LEISURE
ISIS NIGHTCLUB

— On Mon, 24/8/09, Browitt, David <david.browitt@nottinghamshire.pnn.police.uk> wrote:

From: Browitt, David <david.browitt@nottinghamshire.pnn.police.uk>
Subject: Event 30th August 2009
To: isisnightclub@yahoo.co.uk
Date: Monday, 24 August, 2009, 3:18 PM

James

The cost of policing this event will be as follows:-

1 x Sgt @ 67.41 x 5.5 hours = 370.76
9 x Pc @ 56.18 x 49.5 hours = 2780.91

A total of £3151.67 + VAT

I have worked this out on the basis that officers will work 1030pm - 04.00am and be at your venue at 11pm.

Please confirm acceptance of these figures and your willingness and agreement to pay this money before the end of Friday 28th August otherwise police officers will unfortunately not be available.

Regards

Dave Browitt

RISK ASSESSMENT

VENUE: ISIS NIGHT CLUB, NOTTINGHAM

DATE: SUNDAY 30TH AUGUST 2009

RUNNING TIMES: 11.00PM - 4AM

EVENT: BANK HOLIDAY FUNKY HOUSE PARTY

HAZARD	ACTION REQUIRED	BY WHOM	CHECKED	RESULTS
SALE OF TICKETS	<ul style="list-style-type: none"> • EXPECTED ATTENDANCE: 1000-1500 • TICKETS ON SALE AT DOOR • 50% OF CUSTOMERS WILL HAVE PRE PAID TICKETS, 40% PAYING AT THE DOOR 10% GUEST LIST. 	PROMOTER	GENERAL MANAGER	
ADMISSION ON THE NIGHT	<ul style="list-style-type: none"> • ALL CUSTOMERS WILL ENTER THE CLUB VIA AIRPORT STYLE METAL DETECTORS AND IF NECESSARY THEY WILL ALSO BE SEARCHED WITH HAND HELD METAL DETECTORS, PLUS BAGS, PURSES AND WALLETS CHECKED FOR CONTROLLED SUBSTANCES • PHOTO I.D. WILL BE REQUIRED AND CHECKS WILL BE MADE WITH ONLY PASSPORT, PORTMAN PROVE IT CARD, PASSPORT OR NEW PHOTO DRIVING LICENCE ACCEPTABLE FOR ADMITTANCE. • ALL OUTDOOR COATS ARE TO GO IN THE CLOAKROOM 	DOOR SUPERVISOR ON THE FRONT DOOR	HEAD DOOR SUPERVISOR	
		DOOR SUPERVISOR / BOX OFFICE STAFF	ASSISTANT MANAGER	

<p>SECURITY</p>	<p>GENERAL MANAGER</p>	<p>GENERAL MANAGER / SECURITY AND HEAD DOOR SUPERVISOR</p>
<ul style="list-style-type: none"> • 15 SIA BADGED DOOR SUPERVISORS • 1 X MANAGER WITH SIA BADGE • 4 X FIRE MARSHALS • 2 X CAR PARK ATTENDANT <p>WILL ALL BE REQUIRED TO WORK THIS EVENT.</p> <ul style="list-style-type: none"> • POSITIONS WILL BE SET DOWN DURING THE NIGHT BY A ROTA THAT WILL BE SET OUT AS FOLLOWS: • SEARCHING WITH METAL DETECTORS AND WALK THROUGH SCANNERS. • ID AND ALL BAGGAGE WILL BE CHECKED/SEARCHED. • COVERING EXITS AND BARS DOWNSTAIRS • COVERING EXITS AND BARS UPSTAIRS • CAMERA OPERATOR CHECKING INSIDE AND OUTSIDE AREAS. 	<p>POLICE</p> <ul style="list-style-type: none"> • REQUIRED FROM 11PM - 4AM • 1 X SERGENT • 1 POLICE DOG • 2 AM PR VEHICLE • 7X POLICE OFFICERS • (ONE OF WHICH MUST BE FEMALE) 	<p>DRINK SALES</p> <ul style="list-style-type: none"> • NORMAL STAFF BRIEFING CONTAINING UNDER AGE SALES AND MULTIPLE SALES
<p>GENERAL MANAGER</p>	<p>BAR SUPERVISOR</p>	<p>GENFP</p>

	<ul style="list-style-type: none"> • ALL DRINKS SERVED IN PLASTIC BOTTLES OR PLASTIC CUPS. • 1 PARAMEDIC WILL BE REQUIRED ON SITE AT THIS EVENT. 	ASSISTANT MANAGER	GENERAL MANAGER	
BOTTLE NECK AREAS	<ul style="list-style-type: none"> • EXIT AND STAIR AREAS ARE TO BE KEPT CLEAR AT ALL TIMES 	DOOR SUPER-VISOR	HEAD DOOR SUPER-VISOR AND MANAGER	
DRINKS SPILLAGE	<ul style="list-style-type: none"> • IN THE EVENT OF A SPILLAGE • ENSURE THAT THE WET AREA IS KEPT CLEAR OF CLIENTS BY ALERTING A DOOR SUPERVISOR AND THAT THE APPROPRIATE YELLOW 'WET FLOOR' SIGNS ARE PLACED AROUND THE AREA • USE ABSORBENT PAPER TO MOP UP SMALL SPILLS AND MOPS TO MOP UP LARGER SPILLS • ENSURE THAT THE FLOOR IS THOROUGHLY DRIED USING ABSORBENT PAPER • REMOVE WARNING SIGNS IMMEDIATELY THE SPILL HAS BEEN CLEARED AND THE FLOOR IS COMPLETELY DRY 	GLASS COLLECTOR	FLOOR MANAGER	
STAGE AREAS	<ul style="list-style-type: none"> • TO BE KEPT CLEAR AT ALL TIMES WITH A MINIMUM OF 1 ON STAGE WHEN AN ARTISTE IS PERFORMING 	DOOR SUPER-VISOR	HEAD DOOR SUPER-VISOR / MANAGER	
CASHING UP	<ul style="list-style-type: none"> • ALL MONEY IN THE TILLS IS TO BE 	ASSISTANT	GENERAL	

	SECURED AND TAKEN AWAY UNTIL CLUB AREAS HAVE BEEN CLEARED	MANAGER	MANAGER
EXITING THE BUILDING	<ul style="list-style-type: none"> • DOORMAN TO BE POSITIONED OUTSIDE THE BUILDING TO HELP THE FLOW OF TRAFFIC OF THE VENUE • DOORMAN TO BE POSTED OUTSIDE BY THE FRONT DOORS TO OBSERVE PEOPLE LEAVING AND STOP RE-ENTERING THE BUILDING • DOORMAN TO BE POSITIONED ON THE INSIDE OF THE CLUB OBSERVING PEOPLE VACATE 	DOOR SUPER-VISOR	HEAD DOOR SUPER-VISOR / GENERAL MANAGER
CLUB CLOSURE	<ul style="list-style-type: none"> • ALL TOILETS CHECKED AND OTHER PUBLIC AREAS. • ALL EXITS CHAINED AND SECURED • A FULL SWEEP OF THE VENUE AND BACK EXTERNAL AREAS TO BE CARRIED OUT. 	DOOR SUPER-VISOR	HEAD DOOR SUPER-VISOR / GENERAL MANAGER