

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 (AS AMENDED BY  
SECTION 27 OF THE POLICING AND CRIME ACT 2009)**

Objection to application for a Sexual Entertainment Venue at Chunkymuffins, rear of Marsh Farm Cottage, Frampton Roads, Frampton, PE20 1AY.

Lincolnshire Police have consulted with the applicant and agreed several changes to the application and proposed conditions.

The Pool Shed/Chunkymuffins has held a premises licence since April 2023. Since that time Lincolnshire Police have not received any complaints or conducted any enforcement in relation to the licensing objectives being undermined. There have been no reviews of the premises licence.

In regard to the SEV application Lincolnshire Police have met with the applicant at the premises and discussed the application. Prior to the meeting it was agreed to withdraw the request for the SEV licence on a Tuesday, as Tuesdays are not covered by the existing premises licence or planning permission. Following discussions, it was further agreed to reduce the hours on the SEV application to bring them in line with what is currently granted through planning.

Wednesday and Thursday – 11:00am until 10:00pm  
Friday and Saturday – 11:00am until 02:00am  
Sundays and Bank Holidays – 11:00am until 10:00pm

The intention is to also change the premises licence through a minor variation to bring its hours in line with planning, to avoid confusion.

Through discussion it was also agreed that there would be no bought in, hired, paid for entertainers/performers whose activities would fall under the requirement of an SEV (part 16 of the application). The SEV licence is wanted and still required for the activity of customers, who at times may be nude, may take part in sexual activity which others can view, and those others find sexually stimulating, which therefore falls under the definition of requiring an SEV licence. Under part 15 of the application, the nature of the entertainment provided is now live sex show only, as it's agreed this is the closest activity to describe what occurs, although it's not entirely correct. Pornography may also be played using a projector onto a wall.

Lincolnshire Police can foresee issues with the recommended SEV conditions within the Appendix II of the Council Policy in relation to Sex Establishment Licensing, as these and the application form (part 17) are for venues where there is a paid performer and a customer who is the audience with the onus being on protecting the performer and avoiding interaction between performer and audience. At Chunkymuffins the customers will be the performers, which will lead to breaches of those conditions, should they be applied, due to the nature of what a swinger's club is. Performer and audience may be one and the same at different times,

they may already be known to each other, they could be in a relationship, they may interact, they may want to exchange details and interact at a later date. There isn't the boundary of performing as a paid job with only very limited interaction wanted, the interaction is part of the nature of the establishment.

The premises licence at Chunkymuffins has suitable safeguarding type conditions which Lincolnshire Police would like to see mirrored onto the SEV. The only change in wording would be where it says DPS/premises licence holder, where this could be exchange for SEV licence holder/manager. (Note the Police Licensing phone number and email address is now different so has been updated and this will be amended on the premises licence when the minor variation takes place). This will reduce the risk for any activities that take place when the premises licence is not in use. It will also avoid confusion when 2 different licences run at the same time with differing conditions on the same subject, like CCTV or security staff for example. If there was a want for a stronger condition on the SEV licence to one which is already on the premises licence, or vice versa Lincolnshire Police would suggest an additional condition/wording to make it clear which condition takes precedence, and which one is to be ignored, to avoid confusion.

There are also standard conditions within the council policy which are of a similar nature to those on the premises licence, but which differ in strength and therefore risk. For example, the premises licence already has age restriction of no persons under 21 years of age, however the council policy's standard condition is for no persons under 18. Lincolnshire Police would suggest no under 21's is a much stronger condition and should replace the no under 18's condition. The CCTV condition is another example.

Advertising for the venue is online only, through the business website or on online forums for swingers.

There appears to be no desire to change the operating style of Chunkymuffins from how it has been operating for the last few years, it however has been decided that a SEV licence is now required for the activities that take place there, hence this application. The applicant has shown a willingness in listening to advice, changing their application to reduce timings and activities and agreed to conditions proposed by Lincolnshire Police, all which reduce the risk that the licensable activities pose.

#### Conditions Recommended

Having read the Council Standard conditions for SEV, Lincolnshire Police would like the following to be considered for addition to the SEV licence, should it be granted. The number used alongside the wording correspond to the number it relates to in Appendix ii of the Council Policy – regulations prescribing standard conditions applicable to licences for sex entertainment venues and standard licence conditions. Where a similar condition is stronger

on the premises licence, that has been chosen to supersede the standard conditions in the policy.

2. Sexual entertainment shall only take place between xxxx and xxxx hours on the following days xxxx.

3. A copy of this licence and these conditions shall be securely displayed and suitably protected against theft, damage or defacement in a prominent position where they can be easily read by all customers.

5. The Licensee must remain in personal control of the premises at all times or nominate an individual in writing to the Council to direct activities within the premises. The nominated person must be aged 18 years or over. Police comment – suggest change to 21 years of age to fall in line with age restriction condition.

9. The Licensee shall ensure that neither they nor any person promoting or providing entertainment on the Premises (nor any person acting on behalf of any such person) shall display advertisements promoting the entertainment or the Premises in any unlawful manner.

- a) Where the Council have given notice in writing to the Licensee objecting to an advertisement on the grounds that, if displayed, it would offend against good taste or decency or be likely to encourage or incite crime or to lead to disorder or to be offensive to public feeling, that advertisement shall not be displayed.
- b) The Licensee shall not permit the display outside of the premises of photographs or other images which indicate or suggest that striptease or similar entertainment takes place on the premises.
- c) The Licensee shall ensure to the Council's satisfaction (including, where required, necessary planning or building control consents) that the interior of the premises is not visible from the outside of the premises, and that the exterior is maintained to a satisfactory level of decorum. At no point may dancers be visible from the outside of the premises.

10. Performances of sexual entertainment shall not be the subject of any advertising involving the distribution of leaflets in the street, promotion by canvassers or by touting in the street.

11. The Licensee shall ensure that no more than the permitted number of members of the public shall be present on the premises at any time whilst sexual entertainment takes place to which this licence relates where the Council has specified a number in writing on the grounds of public safety, public nuisance or crime and disorder.

The Licensee is to ensure a sufficient number of staff are employed inside the premises whilst sexual entertainment is provided to supervise the performers and customers

The Licensee shall provide a copy of the House Rules to the Licensing Authority for approval. The House Rules shall be provided in English and in the languages agreed by the Licensing Authority. ~~The current key languages other than English being Polish, Lithuanian, Latvian, Portuguese and Russian.~~ Police comment – suggest asking applicant who their demographic is and having a condition which can move with the times, so that languages can be added when deemed appropriate by Council Licensing or the applicant/licence holder.

29. On arrival (Police comment – customers pre-booked, arrivals are known, prior to would be acceptable), each customer shall be provided with a copy of the House Rules which shall include: (no 29 of the appendix's house rules are not suitable for this type of establishment suggest new appropriate rules).

30. The House Rules (minimum A4 in size) shall be securely displayed at all times in such a manner that they can be easily read by the customers and performers and suitably protected against theft, damage or defacement, in at least the following locations.

- a) At the point of entry (to include a copy in the additional languages detailed by Boston Borough Council).
- b) At the point of payment
- c) Above each urinal
- d) At each bar
- e) In the performers changing area (to include a copy in the additional languages detailed by Boston Borough Council).
- f) At the entrance to the performance area

In each private booth should provision of such booths have been authorised by the Council (Police comment - some location may need changing/agreeing).

32. No still or moving photographic or video recordings other than under condition ~~(31~~ - Police comment – whichever number condition the CCTV condition as per the premises licence ends up on the SEV licence should it be granted) above shall be made of any performance of an approved entertainment.

33. The Licensee shall provide, in a timely fashion, copies of any documents reasonably required by an Authorised Officer of the Council in relation to compliance with this licence.

The following conditions, which can also be seen on the premises licence have been proposed by Lincolnshire Police and agreed with the applicant.

A CCTV system shall be installed, recording and maintained in working order and operated at the premises to the satisfaction of Lincolnshire Police, specifically:

- a) There shall be a minimum of one high resolution colour camera, fitted in a weatherproof housing, for external coverage of the entrance.
- b) There shall be a minimum of one high-resolution colour camera fitted to each public entrance/exit. To provide a quality head and shoulder image for facial recognition/identification purposes of all persons entering the premises.
- c) There shall be sufficient cameras able to cope with the normal operating illumination to reasonably cover all licensed public areas.
- d) Recordings must be kept for a minimum of 31 days and endorsed with the accurate, correct time/date (BST/GMT adjusted).
- e) Police and/or Authorised Licensing Officers shall be able on attendance to view immediate playback of any incident without the necessity for download.
- f) Recordings of incidents at the premises must be provided to the police following lawful request.
- g) A member of staff shall be on the premises at all times they are open to the public who is capable of operating the CCTV system and providing recordings on request. When this is not possible recordings shall be provided within 24 hours of the original request.
- h) Recording equipment shall be housed in a secure room/cabinet where access and operation is strictly limited to authorised persons.
- l) All equipment shall have constant time/date generation, which must be checked for accuracy on a daily basis.
- j) The CCTV system should be maintained and checked every 12 months, with the installing company, or if this is not possible another reputable company, producing a letter of compliance.
- k) In the event of a system malfunction, the SEV Licence Holder or appointed manager must immediately notify the Licensing Authority and the Police Licensing Department Tel 101, ask for Lincolnshire Police, then Alcohol Licensing Department or email [countylicensing@lincs.police.uk](mailto:countylicensing@lincs.police.uk). Details of this malfunction must be recorded in the premises refusals/incident book. Arrangements for its repair must be made without delay. The Licensing Authority and Police Licensing must be notified( when the system is again operational.
- l) There shall be notices displayed within the building stating that CCTV cameras are in operation in all parts of the premises.

- m) On the website to the venue it should be clearly displayed that the use of the CCTV cameras will be in place and a full disclosure on how you will manage recordings kept for the period of CCTV storage.
- n) CCTV from the premises must not be used for sale, hire, or used for any other reason than for the purpose they are installed for.

An incident/refusals book shall be kept at the premises, in which details of crime and/or disorder relating to the premises shall be recorded. The Incident book shall contain the following details;

- Time, date and location of incident/refusals.
- Nature of the Incident/refusal.
- Names, addresses and contact details of persons involved.
- Result of the incident/refusals.
- Action taken to prevent further such incidents.
- Each entry signed by the SEV licence holder or other responsible person employed at the premises and
- Retained for a period of no less than 12 months and made available to Lincolnshire Police for inspection upon request.

The Premises Licence holder shall risk assess events to ascertain whether there is a need for door supervisors.

Where the need for door supervisors is identified, there shall be a minimum of two SIA registered door supervisors on duty from 22:00hrs until close.

The door supervisors shall be positioned in a prominent location whereby they can control the exit / entry to the venue and shall not be used to undertake other duties.

There shall be provided and kept at the premises a register/log book to record details of every person employed on the premises as a door supervisor. The record shall contain the following details:

- The door supervisor's name;
- His/her Security Industry Authority Licence Number;
- The time and date he/she commenced and concluded their duty;
- The door supervisors shall sign each entry.
- The log to be inspected weekly and signed by a member of the management team.
- The log to be retained for a period of no less than 12 months and made available to Lincolnshire police for inspection upon request.

There shall be a drug policy completed for the premises. This document will be specific to the venue and will be kept on site at all times and will be made available for inspection upon request from any responsible authority.

The SEV licence holder will ensure occupancy numbers at the premises are kept to a safe level.

Staff will be sufficiently trained in first aid procedures.

All drinks that are purchased for consumption on the premises are to be served in plastic or polycarbonate containers.

There shall be in place a safeguarding policy detailing how you protect persons who enter the premises for the purpose they choose.

The premises shall operate in full support of the National Ask for Angela Campaign originally introduced by Safer Communities Sexual Violence and Abuse Partnership, Lincolnshire, whereby any person who is feeling unsafe, vulnerable or threatened can discreetly seek help by approaching venue staff and asking them for 'Angela'. Staff will be suitably trained in respect of the aims of the campaign and appropriate action that can be taken to assist vulnerable individuals. Posters advertising the adoption of the campaign will be prominently displayed at the premises.

The premises will operate a strict over 21 only policy, this will include customers and any staff working at the premises.

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Lincolnshire Police