

APPENDIX 2

## **NOTICE OF REVIEW APPLICATION**

### **LICENSING ACT 2003**

South Oxfordshire District Council as the Licensing Authority gives notice that an application for a review of the Premises Licence for:

**LATINOS T/A DIAMONDS AND PEARLS AND SPEAK EASY**

**Greys Road, Market Place, Henley on Thames RG9 2AA**

**Premises Licence No. 7641**

has been received by South Oxfordshire District Council.

The grounds for review are as follows:

***Thames Valley Police is applying for a review under the prevention of crime and disorder objectives of the Licensing Act 2003.***

Any representation in relation to this application by either interested party or relevant authority must be made in writing under the guidelines of the Licensing Act 2003 to:

The Licensing Team Leader

Legal and Democratic Services, South Oxfordshire District Council,  
Benson Lane, Crowmarsh Gifford, Wallingford, Oxon. OX10 8ED

Tel: 01491 823209 Email: [licensing@southoxon.gov.uk](mailto:licensing@southoxon.gov.uk)

By date: 31 March 2011

A record of the review application may be inspected between 09.00am and 4.00pm Monday to Friday at the Council Offices, or may be found on the Council website at [www.southoxon.gov.uk](http://www.southoxon.gov.uk)

Date of notice: 03 March 2011

**It is an offence to knowingly or recklessly make a false statement in connection with an application, and a person convicted of such an offence will be, liable to a fine up to £5000 based on a summary of conviction.**

**APPENDIX 3**

<b>PREMISES LICENCE</b>	
<b>LICENSING ACT 2003</b>	
<b>Premises licence number</b>	<b>7641</b>
<b>Premises details</b>	
Latinos / SpeakEasy	<b>Telephone Number</b>
Greys Road Car Park, Market Place, HENLEYONTHAMES, Oxon, RG9 2AA	01491 578650
<b>Name, (registered) address of holder of premises licence</b>	
Mr Antonio Lopes	
Latinos, Greys Road Car Park Market Place HENLEY-ON-THAMES Oxon RG9 2AA	
<b>Registered number of company or charity if applicable</b>	
Not applicable	
<b>Name address and telephone number of designated premises supervisor, where the premises licence authorises the supply of alcohol:-</b>	
Mr Carmelo Borg, 42 Damer Gardens, Henley on Thames, Oxon, RG9 1HX	
Tel : 01189722027	
<b>Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol</b>	
Licence Ref : 410	Authority : South Oxfordshire District Council

**Licensable Activities and the times the licence authorises the carrying out of licensable activities**

<b>Activity</b>	<b>Day(s)</b>	<b>Start</b>	<b>End</b>
Live Music Indoor	Mon Tue Wed Thu Fri Sat Sun	10:00	03:15
Recorded Music Indoor	Mon Tue Wed Thu Fri Sat Sun	10:00	03:15
Dance Performance Indoor	Mon Tue Wed Thu Fri Sat Sun	10:00	03:15
Music Facilities Indoor	Mon Tue Wed Thu Fri Sat Sun	10:00	03:15
Dancing Facilities Indoor	Mon Tue Wed Thu Fri Sat Sun	10:00	03:15
Late Night Refreshment Indoor	Mon Tue Wed Thu Fri Sat Sun	23:00	03:15
Alcohol On Sales Indoor	Mon Tue Wed Thu Fri Sat Sun	10:00	03:15
Adult Entertainment Indoor	Mon Tue Wed Thu Fri Sat Sun	10:00	03:15
<b>Opening Hours of the Premises</b>	Mon Tue Wed Thu Fri Sat Sun	10:00	3:45

<b>Seasonal Variation for licensable activities authorised by the licence</b>	
<b>Activity</b>	<b>Details</b>
	None

<b>Non Standard Timings for the Licensable activities authorised by the licence</b>	
<b>Activity</b>	<b>Details</b>
Live Music	On New Year's Eve / New Year's day, the hours to be extended to 05:30.
Recorded Music	On New Year's Eve / New Year's day, the hours to be extended to 05:30.
Dance Performance	On New Year's Eve / New Year's day, the hours to be extended to 05:30.
Music Facilities	On New Year's Eve / New Year's day, the hours to be extended to 05:30.

Dancing Facilities	On New Year's Eve / New Year's day, the hours to be extended to 05:30.
Late Night Refreshment	On New Year's Eve / New Year's day, the hours to be extended to 05:30.
Alcohol On Sales	On New Year's Eve / New Year's day, the hours to be extended to 05:30.
Opening Hours	On New Year's Eve / New Year's day, the hours to be extended to 06:00.

<b>Signed:</b> _____
<b>Margaret Reed, Head of Legal &amp; Democratic Services</b>
<b>Dated: 30 March 2011</b>

*This licence is in force since 10/06/2009. A replacement was issued on 17/03/2011 with additional mandatory conditions and amended document layout. A further replacement was issued on 30 March 2011 followed by a change of address for the designated premises supervisor request.*

<b>Annex 1 – Mandatory conditions</b>
---------------------------------------

### **Supply of alcohol**

1. No supply of alcohol may be made under the premises licence—
  - a. at a time when there is no designated premises supervisor in respect of the premises licence, or
  - b. at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3.
  1. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of

alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

- a. games or other activities which require or encourage, or are designed to require or encourage, individuals to—
    - I. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - II. drink as much alcohol as possible (whether within a time limit or otherwise);
  - b. provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - c. provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
  - d. provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
    - I. the outcome of a race, competition or other event or process, or
    - II. the likelihood of anything occurring or not occurring;
  - e. selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
  5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
  6.
    1. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
    2. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification

bearing their photograph, date of birth and a holographic mark.

7. The responsible person shall ensure that—

a. where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- I. beer or cider: ½ pint;
- II. gin, rum, vodka or whisky: 25 ml or 35 ml; and
- III. still wine in a glass: 125 ml; and

b. customers are made aware of the availability of these measures.

### **Door supervision (where applicable)**

1. All individuals at the premises to carry out a security activity must be licensed by the Security Industry Authority.

2. For the purposes of this section—

- a. “security activity” means an activity to which paragraph 2(1)(a) of The Private Security Industry Act 2001
- b. paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

### **Annex 2 – Conditions consistent with operating schedule**

1.	Persons shall be prevented from leaving the premises with alcohol supplied in open containers.
2.	A Premises Daily Register shall be kept at the premise. This register will be maintained and kept for a minimum of 12 months. This register should record the name of the person responsible for the premise on each given day. The Premises Daily Register shall record all calls made to the premises where there is a complaint made by a resident or neighbour of noise, nuisance or anti social behaviour by persons attending or leaving the premises. This shall record the details of the caller, the time and date of the call and the time and date of the incident about which the call is made and any actions taken to deal with the call. The Premises Daily Register will be readily available for inspection by an Authorised Person throughout the trading hours of the premise. The Premises Daily Register will also record all incidents in relation to the use of any force by

	staff or Door Supervisors in the removal of persons from the premises. It shall record the time and date of the occurrence, name or brief description of the person removed, and details of the staff involved.
3.	All Door Supervisors shall enter their full details in the Premises Daily Register at the commencement of work. This shall record their full name, home address and contact telephone number, the Door Supervisor's SIA registration number and the time they commenced and concluded working. If the Door Supervisor was supplied by an agency, details of that agency will also be recorded including the name of the agency, the registered business address and a contact telephone number.
4.	The premises shall be cleared of customers and closed 30 minutes after the conclusion of the last licensed activity.
5.	The licence holder shall implement a written queue management policy. All queuing outside the premises shall be managed in such a way that prevents noisy or rowdy behaviour and therefore minimises disturbance or nuisance to neighbours. The policy shall be approved in writing by Thames Valley Police and the Licensing Authority.
6.	The licence holder shall implement a written dispersal policy, to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours, both residential and business, and to make the minimum impact upon the neighbourhood in relation to potential nuisance, antisocial behaviour, crime and disorder. The policy shall be approved in writing by the Thames Valley Police and the Licensing Authority.
7.	The Licence Holder shall implement a written search policy to be agreed in writing with Thames Valley Police.
8.	At the time of installation or upgrading of any CCTV system it shall comply with the current and relevant Thames Valley Police guidelines for Standard Minimum Closed Circuit Television Requirements (Issue 1, July 2004).
9.	A CCTV system shall be installed or the existing system maintained. The system will incorporate a camera covering each of the entrance doors and be capable of providing an image which is regarded as identification standard.
10.	To obtain a clear head and shoulders image of every person entering the premises on the CCTV system, persons entering the premises should be asked to remove headwear, unless worn as part of religious observance.
11.	The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of one calendar month. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity. For premises using a video recording system, the cassette tape shall be used on no more than 12 occasions to maintain the quality of the recorded image.
12.	The positions of all CCTV cameras shall be clearly shown on a set of plans and any alteration to the system should only be carried out after consultation with and written approval of, Thames Valley Police and the Licensing Authority.
13.	The premises will subscribe to the local Radio Link scheme, where it exists.
14.	Where the premises is open beyond midnight, one door supervisor shall be

present from 21:00 hours. A further door supervisor required when there are more than 25 patrons but less than 200 patrons. Four door supervisors required when there are more than 200 patrons.
--

15. Noise emanating from the premises as a result of regulated entertainment shall not be clearly audible at the boundary of any residential property.
16. No regulated entertainment shall take place in the premises until an acoustic survey has been carried out by an independent person, who is qualified to be at least an associate member of the Institute of Acoustics, and a scheme for soundproofing the premises has been submitted to and approved by the Head of Environmental Services. The scheme must be fully implemented to the satisfaction of the Head of Environmental Services prior to the opening of the premises.
17. A sound limiting device shall be fitted to the amplification system and shall be located in a separate lockable cabinet which is remote from the volume control. The device shall be set at a level determined by the Head of Environmental Services. The operational panel of the noise limiter shall then be secured to the satisfaction of an authorised officer. The keys securing the noise limiter cabinet shall be held by the premises licence holder only, and shall not be accessible by any other person. Access to the limiter shall be restricted to prevent tampering. No alteration or modification to any existing sound system(s) should be effected without prior agreement of the Head of Environmental Services. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
18. During each occasion when regulated entertainment takes place, the premises licence holder shall ensure that hourly assessments are undertaken of noise emanating from the premises as a result of regulated entertainment. The assessment shall be made at the Greys Road entrance to the car park. If the assessment indicates that noise from the club premises is likely to be audible at the boundary of any nearby residential premises, then immediate action must be taken to reduce the noise level and a further check conducted to ensure that levels have been sufficiently reduced. A written record shall be kept of each assessment and of any remedial action taken. Records of such checks shall be made available to authorised officers of the Licensing Authority for inspection at any reasonable time.
19. During operating hours, the licensee or a nominated representative shall be available to receive and respond to nuisance-related complaints. A contact number shall be readily available to residents upon request.
20. No more than eight customers to be allowed outside the premises at any one time for the purpose of smoking. Details of a scheme for operating this policy to be submitted to and approved by the Head of Environmental Services. The scheme must be fully implemented to the satisfaction of the Head of Environmental Services.
21. All external doors/windows must be kept closed in all rooms, other than for access and egress, when events involving amplified music or amplified speech are taking place. An alarm system shall be installed and maintained for the three fire escape doors on the north elevation of the premises, in order to draw the attention of staff to the opening of these doors.
22. No speakers shall be used outside.



23. Prominent, clear notices shall be displayed at all exits requesting that customers respect the needs of local residents and leave the premises and the area quietly.
24. The placing of refuse (such as bottles) into receptacles outside the premises shall only take place between the hours of 08.00 and 20.00.
25. No new entry to the premises to members of the public after 03:00hrs
26. Performers shall be aged not less than 18 years old.
27. A customer code should be prominently displayed and clearly viable throughout the premises advising patrons of the rules in relation to striptease. This code should include a price list and general duration of the striptease performance. Members of the public must be informed about the code of conduct before entering the premises.
28. Whilst not performing, dancers must remain clothed whilst in the public areas.
29. A private area away from the public must be provided to performers. This can be used an area performers can change and be away from the public.
30. Whilst performing striptease, dancers must not be able to be seen by persons outside the premises.
31. Striptease may only take place in the public areas of the club.
32. All areas where performances of striptease are taking place shall be supervised by a SIA registered door supervisor.
33. There must not be any contact by the performer with the patron immediately before, during and immediately after the performance of striptease except;
  - a. leading of a patron hand in hand to and from a chair or to and from a designated dance area.
  - b. simple handshake greeting.
  - c. placing of monetary notes or dance vouchers into the hand or garter worn by the performer.
  - d. customary kiss on the cheek of the patrons by the dancer at the start or conclusion of the performance.
  - e. if the contact is accidental.
34. Whilst performing striptease the dancers may not perform any acts whilst by they or others are, or clearly simulate masturbation, oral sex or sexual intercourse, including the insertion of any objects, including their own finger into any genital opening.
35.
  1. The applicant has reviewed the Licensing Authority's Licensing Policy and intends to liaise closely with the Licensing Team and Police Licensing Officer to ensure that any crime and disorder issues are dealt with swiftly.
  2. The Licence holder shall have a stronger management and security presence which will deal with the current problems the premises experiences.

3. The applicant will, once in control of the premises, carry out a suitable and sufficient risk assessment in relation to the operation of its business with specific reference to the licensing objectives.
36.
    1. Managers and staff will regularly undergo training in relation to all aspects of operational management, to include the control of underage drinking, drunkenness on the premises, the use of drugs and violent and anti-social behaviour.
    2. All licensable activities being conducted on the premises will be closely supervised and monitored by a disciplined and fully trained management team.
    3. Prominent signage is in place throughout the premises reminding customers that the use of drugs on the premises is strictly prohibited.
    4. The management team will operate a policy requiring searches to be carried out in respect of customers suspected of bringing alcohol and / or drugs onto the premises.
    5. The premises will benefit from a panic alarm situated behind the bar.
  37.
    1. The management team will strictly adhere to its permitted safe maximum occupancy.
    2. The safety of persons attending the premises will be secured by the diligent and effective supervision by managers and staff, all of whom receive on going suitable training and instruction.
    3. Evacuation measures are in place and managers and staff are trained to effectively manage.
  38.
    1. Licensees will take all responsible steps to ensure that their premises are not promoted by use of illegal fly-posting or unauthorised adverts to street furniture.

2. DJs will instruct customers leaving the premises to do so quickly and quietly at the end of the visit to the premises.
  
3. In the event that the applicant chooses to operate the ground floor of the venue as a lap dancing club, the following conditions shall apply:
  - a. No sex act shall take place.
  - b. No dancer / performer shall perform any sexually explicit or lewd act.
  - c. There shall be no exchange of money between customers and the dancers, except for the placing of money or tokens into the hands of the dancer at the beginning or conclusion of the performance.
  - d. The manager or supervisor will immediately deal with any report of contact, misconduct or provocation by a customer or dancer / performer.
  - e. No telephone number, address or information leading to any further meeting may be passed from customer to dancer / performer or vice versa.
  - f. No dancer or performer may perform while intoxicated.
  
39.
  1. Entry to the premises will be prohibited to persons under 18 unless by way of a pre-arranged function during which no adult entertainment will take place.
  
  2. The applicant will be operating an over 25's policy, although persons aged 21 and over will be permitted entry at the manager's discretion Proof of age documentation will be requested where a person appears under the age of 21 (Challenge 21 scheme).

**Annex 3 – Conditions attached after a hearing by the licensing authority**

None
------

**Annex 4 – Plan(s)**



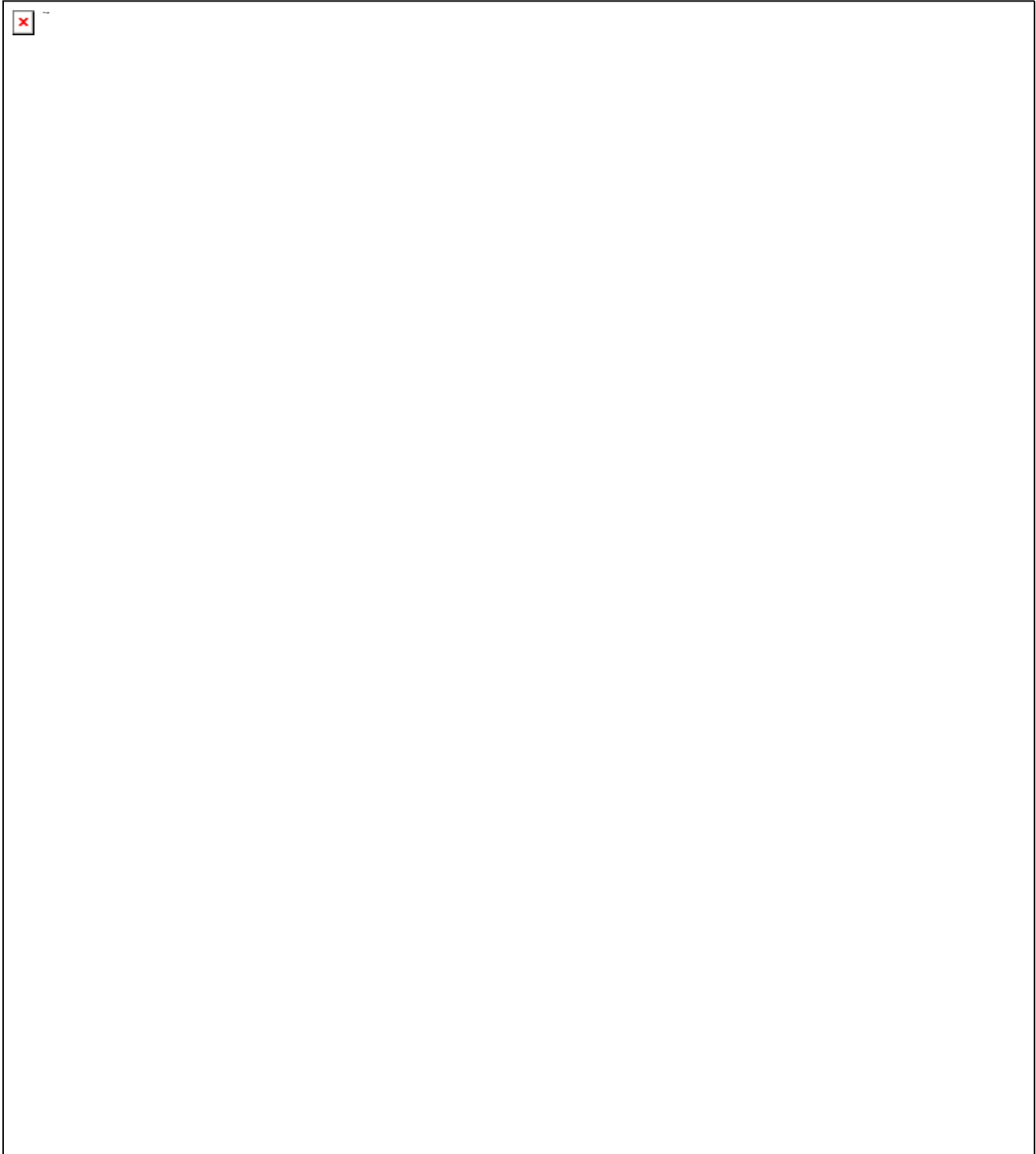




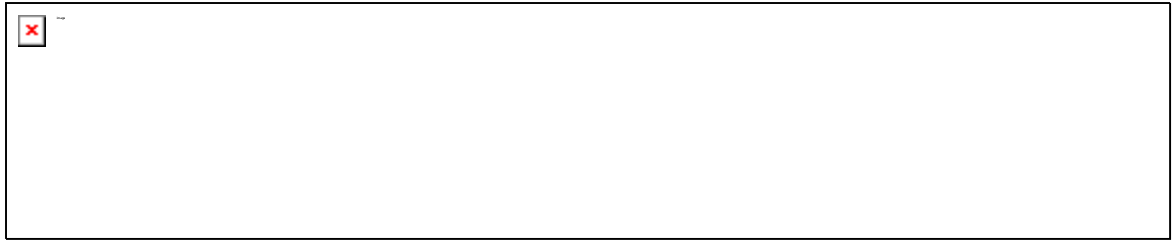


**APPENDIX 4**

Response from Henley Town Council







## **APPENDIX 5**

SUBJECT: IMPACT OF THE LAP DANCE CLUB.

I am an Ofsted Inspector of Schools and often my remit is to comment on the Safeguarding of children.

My submission is as follows:

Despite the owners' positive spin on their business, lap dance/striptease clubs are not purely "fun places for the lads." Copious research shows that these clubs can be linked to prostitution and an increase in male sexual violence against women who work in the clubs, and those who live, visit and work in the vicinity. Women in the area can become unwilling symbols of the illusion of sexual availability, and are often the victims of male harassment in the surrounding areas of the club. Put simply these clubs fuel a sexist culture of treating women as sex objects and inferior citizens.

In Henley this club has proved to be an establishment for enhanced crime as evidenced by the Police. It has also been an establishment that has led young males of 16-19 years into spending hundreds of pounds without their full awareness of the difficulties in paying that they would experience at the end of the night. I have at least 2 parents who have approached me directly on this matter.

My objections to the club are summarised under various headings:

- Effect on Young People

Approximately 5000 young people access Henley Schools/Colleges every week day, and we do not want them confronted by sexual imagery as they pass through the Greys Road car park, or have rape as a playground subject for discussion. In fact there are 5 schools, a college and many youth organisations within half a mile of the club. Children can be morally and psychologically harmed by exposure to such venues. SODC's responsibility is to safeguard our children in the

community and if the license is upheld I believe that SODC will be failing in its duty to protect vulnerable citizens including children.

- Effect on our Town

It is a wholly inappropriate location on a main thoroughfare and at the centre

of the Town which gives the Town an unacceptable identity. It is located in a car park which is used by many vulnerable women late at night and it certainly does nothing to support the Town's family ethos. There have been many minor skirmishes associated with the club up until now and these all add to the negative impact the club has on residents.

- Effect on the Police/Crime

Research indicates that clubs of this nature cause many public disorder

problems for the local community including offences against women. The club

is another pressure point on scarce Police resources late at night and during the

Regatta and festivals.

- Effect on the Town's PR

Every time we have any incident or press associated with the Club it is pounced

on by the National Press as positive proof that the Hooray Henry's of Henley

are decadent, crime ridden and part of a crumbling society. We have to be

mindful of this and be aware of our place in a national gold fish bowl.

I maintain that this club has no place in our beautiful town and particularly in such a prominent location. I would ask that you revoke the licence for the Diamonds & Pearls Club.

Yours Sincerely

Councillor Barry G. Wood (Dr)

**APPENDIX 6**

**RECEIVED BY E-MAIL AT 13.43 ON 16 March 2011**

Dear Sirs

I understand from the article in The Henley Standard 11/3/11 that the Police have requested a review of the License for the Diamonds & Pearls nightclub in Henley. **I write to support the review and to express my opinion that the license should be totally revoked.** The club has (predictably) become a focus for crime, drugs, threatening behaviour and now rape. This is unacceptable in any situation but totally inappropriate in the middle of Henley which is known for its pleasant atmosphere and friendly environment. The owner of the club has a history of running establishments that attract that sort of criminal and nuisance behaviour (Latinos Club in Hart Street) and should not be allowed to continue. The club should be closed immediately and developed in a way in keeping with the town. It would make an attractive residential setting or retail or artists and craftsmen's studios.

Yours sincerely

Caroline Bullock

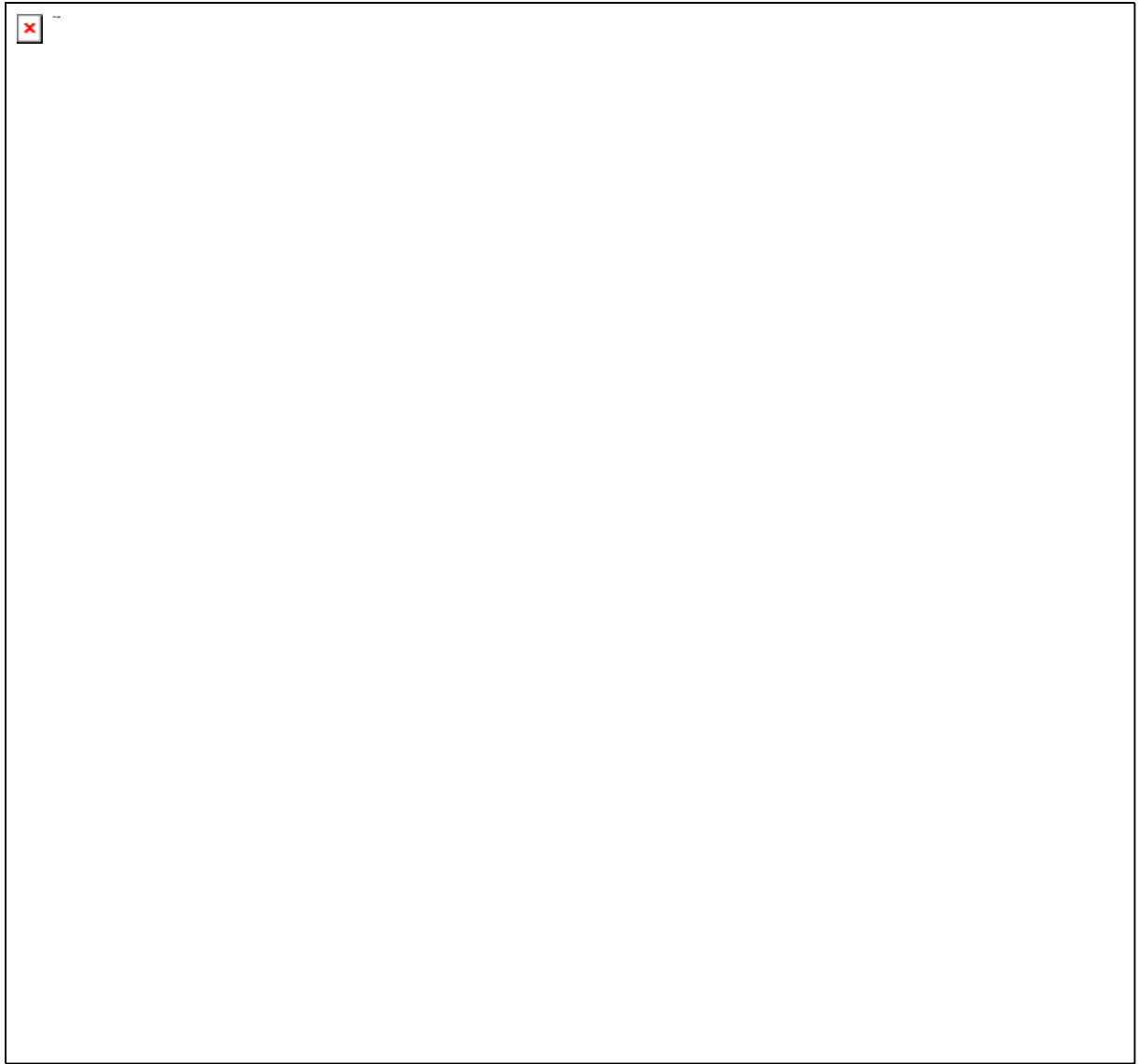
1 Byeways Close

Knowl Hill

Reading Rg10 9YL

Email choc@f2s.com

**APPENDIX 7**



From Ms D Brooker and signed by 16 local residents

**APPENDIX 8**

