

CITY OF EDINBURGH LICENSING BOARD

POLICY ON DANCE ENTERTAINMENT IN LICENSED PREMISES

This policy has been adopted by the City of Edinburgh Licensing Board in order to promote best practice in licensed premises where any form of dance entertainment is provided. Whilst the policy has no statutory basis, the Board will generally expect compliance with its terms and any failure to do so may be taken into account in assessing the continuing suitability of any affected premises for the sale of alcoholic liquor. The policy has not been drafted in the manner of a legal document with interpretation clauses. Words and expressions used in the policy should therefore be given their usual and normally accepted meaning. Licenceholders should seek guidance from the Licensing Board if in doubt as to the requirements of the Policy or if they wish to seek exemption from any of the stated requirements either generally or in respect of a particular occasion/event.

1 Code of Conduct

The licenceholder shall have in place a code of conduct for behaviour of staff and customers, copies of which shall be available to staff and customers. The code will deal with matters such as information for the dancers on distance to be maintained from customers during a dance, prohibitions on sexual behaviour and propositioning, and what to do if a customer breaches the rules.

2 The Dancers

The licenceholder should maintain a register of dancers engaged to perform in the licensed premises. The register should show the name, age and current address of the dancer. The licenceholder should require photographic proof of identify which should be via the production of the dancer's passport if available. Foreign Nationals must be asked for their passport and the licenceholder should take appropriate steps to ensure that there are no restrictions on the dancer's entitlement to stay and work in the United Kingdom. No dancer below the age of 18 should be engaged.

3 Changing Facilities

The licenceholder should provide suitable changing facilities for the dancers to comply with the following basic standards:-

- a) The facilities should have a minimum floor area of 1.86m² per dancer engaged to perform at any one time;
- b) The facilities should be secure, private and for single sex use only and should not be accessible by patrons;
- c) The facilities should be located near to, but not within, sanitary conveniences;
- d) The facilities should include private and lockable storage units for each dancer for the safe-keeping of valuables and clothing;
- e) The facilities should include a plentiful supply of wholesome chilling drinking water for all dancers

4 Performances

Dancers should generally only perform in the open public areas of the licensed premises which should at all times be appropriately stewarded and covered by CCTV cameras. No dance entertainment should take place in private booths. Dancers' genitalia should be covered at all times. There should be no touching between dancers and patrons at any time during a performance, the only contact allowed being the hand to hand payment of money at the conclusion of the performance. Dancers remaining in the public dance areas before, following or between performances should be suitably clothed at all times with no exposure of breasts or genitalia. Any advertising of performances outwith the licensed premises whether by way of newspaper advertisements or notices at the premises may only depict dancers suitably clothed as aforesaid. Performances involving the removal of clothes should not be visible from outwith the premises.

5 Supervision

The licensed premises should be appropriately stewarded by personnel registered either in terms of the City of Edinburgh Council's registration scheme for door stewards or by the Security Industry Authority. Stewards should be provided in all public dance areas in addition to at least one steward positioned at each entrance to and/or exit from the premises. All public dance areas and entrances and exits should be monitored constantly while the premises are open to the public via the use of CCTV. CCTV should be provided of a high quality to ensure that individuals may be clearly identified whilst in any part of the premises. Licenceholders should ensure that the CCTV cameras operate properly whenever dancers are performing on the premises. CCTV recordings should be retained for a period of at least 2 months.

6 General Health and Safety Issues

A. Risk Assessment

A risk assessment should be undertaken and appropriate control measures should be implemented in respect of

- The precise work activities required of dancers
- The personal safety of dancers
- The use of chemicals which may come into contact with dancer's skin

This is not an exhaustive list and licenceholders should ensure that all hazards are assessed.

In addition the premises should be subject to a fire risk assessment to the standard of the Fire Precautions (Workplace) Regulations 1997 as amended. This assessment should be recorded and kept available for inspection by a duly authorised fire safety officer of the Lothian and Borders Fire and Rescue Service.

B. Ventilation

All dance areas and the changing facilities provided for dancers should be mechanically ventilated with fresh or purified air. There should be at least 10 air changes per hour.

C. Temperature

All dance areas and the changing facilities provided for dancers should be maintained with a minimum temperature of 25 celsius / 77 Fahrenheit. A thermometer should be provided in all rooms used by dancers. Portable LPG heaters are not an acceptable form of permanent heating.

D. Lighting

All dance areas, changing facilities provided for dancers and sanitary conveniences should have lighting of a sufficient standard to enable dancers and others to move around safely.

E. Cleanliness

All dance areas, changing facilities provided for dancers and any furniture, fittings, etc. should be kept clean. The surfaces of floors, walls and ceilings of all dance areas, changing facilities and other parts of the licensed premises to which dancers have access should be kept clean.

F. Sanitary Conveniences

Sanitary conveniences should be provided in accordance with the requirements of the Workplace (Health Safety & Welfare) Regulations 1992. The facilities should be for the exclusive use of dancers and should provide privacy and security from intrusion by members of the opposite sex and from patrons.

G. Washing Facilities

Wash hand basins and showers should be provided in accordance with the requirements of the Workplace (Health Safety & Welfare) Regulations 1992 and the currently approved Code of Practice made there under. Such facilities should be for the exclusive use of staff and should have a supply of warm, or hot and cold water and provide privacy and security from intrusion by members of the opposite sex and from patrons. Washing facilities should be provided in the immediate vicinity of the sanitary conveniences and the changing facilities.

H. Condition of Floors

Every floor used for dancing or for access to the dancing areas should be of a construction suitable for the intended uses and should be kept free from obstruction and from any substance that may cause a dancer to trip or slip.

I. Facilities to Eat Meals

Eating facilities to include a table, chairs, kettle and sink with hot and cold water should be provided. Good hygiene standards should be maintained in the facility.

Licenceholders should seek their own professional advice if they are in any doubt as to whether their premises comply with the requirements of the Policy. Advice on health and safety issues may be sought from the City of Edinburgh Council's Environmental Health Services.

7. Public Order Issues

In the interests of providing for and maintaining public order and safety in the premises during the permitted hours when the premises are open to the public, the licenceholder should ensure that empty glasses and bottles are regularly cleared from areas to which the public have access. Any receptacles provided on the premises for the collection, or disposal by patrons, of empty bottles should be of solid construction, emptied regularly by staff and designed so that bottles already deposited therein cannot be retrieved by patrons. No glasses or bottles should be permitted in cloakrooms, sanitary conveniences or dance floors located on the premises. Sufficient shelves, ledges, tables and counters should be provided on the premises to accommodate glasses and bottles before collection.