

**BRISTOL CITY COUNCIL
LICENSING COMMITTEE
19 JANUARY 2012**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
REPORT ON THE APPLICATION FOR A SEXUAL ENTERTAINMENT VENUE MADE
BY NIGHTLIFE CLUBS LTD IN RESPECT OF PREMISES TRADING AS URBAN
TIGER, 4 BROAD QUAY, BRISTOL, BS1 4DA**

Report of the Director of Neighbourhoods

Purpose Of Report

1. To seek consideration of an application for the grant of a sexual entertainment venue licence in respect of premises trading as Urban Tiger, 4 Broad Quay, Bristol, BS1 4DA.

Background

2. The Council has adopted the Local Government (Miscellaneous Provisions) Act 1982, as amended, therefore, subject to limited exceptions and exemptions, or in the absence of a waiver, premises offering relevant entertainment require a Sexual Entertainment Venue (SEV) licence to operate in the city of Bristol.

3. There is a presumption in the legislation that applications for a licence will be granted unless there is a statutory ground for refusal. Some refusal grounds require the Council to refuse an application (mandatory grounds for refusal) and some grounds enable the Council to refuse an application but do not require the Council to refuse (discretionary grounds for refusal).

4. Where a licence is granted any standard conditions in regulations made by the Council will automatically be imposed unless expressly excluded or varied by the Council. The Council through this committee, has made regulations and has also adopted policy to facilitate consideration of applications and guidance is provided to the committee in subsequent paragraphs of this report.

5. The application was submitted on the 4 July 2011. The company has applied for a licence to provide relevant entertainment between 21.00 hours and 04.30 hours Mondays to Sundays.

6. The relevant entertainment is described as including:
Live performance, live displays of nudity, male exposure of the pubic area, genitals and anus, female exposure of nipples, pubic area, genitals and anus.

Relevant entertainment to be mainly provided by way of:

“Table side and on stage performances by both male and female performers involving full or partial nudity.”

7. Copies of the location map of the premises and the plan of the premises are attached as Appendices A and B respectively.

8. A copy of the logo to be displayed on the premises that is visible from the exterior is attached as Appendix C.

9. Copies of the premises conditions and house rules, and code of conduct for dancers

attached as Appendices D and E respectively.

10. Additional information which the applicant wishes the Council to take into account when considering this application is attached at Appendix F.

11. Application has been made to exclude standard condition R which requires provision of free literature and contact details. The applicant's request to exclude this condition is set out as follows:

(a) That the condition predicates an inference of sexual activity amongst performers to which the applicant company strongly objects. It has, and continues, to do all it can, and to have strong rules and policies, to impress on performers that sexual activity connected with their roles as performers is completely unacceptable and that any suggestion of such activity will result in sanctions.

(b) This proper and strong stance will be undermined if it is obliged to advise performers of the repercussions of such activities, and to advise of steps to take to enjoy safe sex. The class of performers currently regularly offering entertainment at the premises would also be very offended by being given such information, because of the inference of misbehaviour.

(c) The applicant asks, for these reasons, that this condition be excluded.

12. Application has been made to vary standard condition F which controls the contact between performers and customers, and standard condition Q relating to advertisement of the venue. The applicants request to vary these conditions as set out as follows:

Condition F – Control of contact between customers and performers.

(a) To avoid inadvertent breach should (for example) a dancer slip and touch a customer, or touch a customer with her long hair, it is requested that the words 'deliberate physical' are added in the first line. The amended first sentence of the condition would therefore read: *'(a) at no time during the performance may there be any deliberate contact between a performer and a customer.'*

(c) (ii) Because of its luxurious style, and the fact that it is both a mature and safe environment, Urban Tiger is often used by customers of both sexes as a mainstream venue, Staff and performers will often greet regular customers with a kiss on the cheek / both cheeks. This is the normal and widely used greeting in social and business circles, without the clear sexual connotations envisaged by some of the other wording in this sub clause. They may similarly give them a polite hug, for example. It is accepted that the Licensing Authority properly wish to avoid an action intended to deliberately sexually stimulate a customer, and Urban Tiger would similarly wish to avoid such behaviour. To allow normal social interaction, however, the applicant requests the inclusion of the words 'in a manner designed solely or principally to sexually stimulate' in this clause. This wording reflects the definition at d(iv). The amended sub paragraph of the condition would therefore read: *'kiss, stroke, fondle, caress or embrace in a manner designed solely or principally to sexually stimulate any customer'*.

(d) (ii) 'employee'. Especially if the council is not minded to accept the requested alteration to c(ii) above, the applicant seeks an alteration to the definition of employee in order to differentiate between male and female staff, and the performers. The applicant is proud to have a friendly venue, where customers feel welcomed and comfortable, and is concerned that a fetter on any innocent physical contact between staff and customers would damage or destroy that. It accepts that the Council will wish to control the behaviour of performers whilst they are at the venue, and that they need to cover both those who are self-employed and those who may be employed directly by the venue. The following amendment is requested to this definition: *'employee' means any performer working at the venue, whether self-employed, under a contract of employment or any other contract.*

Condition Q. Controlling means of advertising and attracting custom.

This is a legitimate business which has the right to seek to market its business, and to advertise and attract custom in the usual manner. The applicant readily accepts that the nature of the advertisements should be controlled to prevent offence to public decency.

(ii) The prohibition of any marketing or advertisement of the venue by flyers / leaflets or similar (as also adopted by late night venues and pubs etc. generally) would be an unacceptable restraint of trade. As a responsible operator the company accepts that the nature of advertisements including flyers should comply with Advertising Standards Agency (ASA) codes and requirements, and is willing to accept restrictions in this respect. It does, however, look for the right to distribute leaflets in the locality (in line with other late night and entertainment venues) and respectfully requests the addition of a proviso at the end of the prohibition to permit that. This condition would therefore read following amendment: *'(ii) by means of leafleting in the locality unless the leaflets are compliant with Advertising Standards Agency standards and with any Licensing Authority permit / consent requirements for leaflet distribution generally'*.

(iii) Whilst the company accepts that posters immediately outside or adjacent to the premises would be inappropriate having regard to condition L, the prohibition of any such advertising throughout the whole of the Councils administrative area is, with respect, unreasonable and once again in restraint of trade. As before, the company accepts that advertisements and posters should not offend public decency, and, it refers again to the controls in place through the ASA, which is clearly the appropriate body to consider such matters. For all the above reasons, it preferably seeks the deletion of (iii) in its entirety, or alternatively, would accept the wording 'in the immediate vicinity of the premises' as a substitution for the words 'in any part of the Council's administrative area' should the Licensing Authority deem such a restriction to be reasonable and necessary. The amended condition would therefore read following amendment: *(iii) by means of externally displayed advertisements (such as billboards or posters) in the immediate vicinity of the premises'*.

13. Observations and objections

In considering this application the Council must have regard to any observations submitted to them by the Chief Officer of Police and any objections of which notice has been sent to them under paragraph 8 (15) of the adopted legislation. Paragraph 8 (15) provides that:

"Any person objecting to an application for the grant, renewal or transfer of a licence under this Schedule shall give notice in writing of his objection to the appropriate authority, stating in general terms the grounds of the objection, not later than 28 days after the date of the application."

14. This application was made on 4 July 2011 and a total of sixty nine objections were received prior to the deadline, summaries and details of which are attached at Appendix G and the committee must have regard to them. The Council must not disclose the identity of any objectors without their consent. The main themes of the objections are set out below.

A. Nature of the area.

a) The premises are located in the city centre close to a busy transport hub used by commuters, school children, tourists, passengers travelling to and from the airport and the public.

b) There are several residential dwellings, hotel rooms and youth hostel facilities in the near vicinity.

c) Premises are in close proximity to a church which as well as conducting religious services hosts concerts and other events during the day and evening. The church garden and café are regularly used by the public during the day.

d) The venue is also adjacent to a range of leisure facilities such as the open space containing the fountains and the cascade steps and local theatre, is also close to millennium and Anchor Squares, museums and tourist attractions.

e) There are other such venues in close proximity.

f) Concerns are raised as to why users of the above facilities, schoolchildren, commuters, charity volunteers and clients should be forced to walk past a sexual entertainment venue to reach their school, community activity or offices.

B. Target clientele of venue.

The premises specifically targets stag parties which are often made up of large groups of men who may be or become inebriated, sexually aroused or frustrated. The effect of such venues are to dehumanise resulting in the objectification of women. The presence of large groups of often young men who almost always abuse alcohol will have a negative impact on levels of crime and disorder and public nuisance, as well as on perceptions of personal safety in the locality.

C. Management of adverse behaviour.

Clear controls can be placed on activities within the premises but not on the control of individuals outside. An example being the use of CCTV which is reactive in that it only records crimes etc after the event and cannot guard against such incidents as sexual assaults. There is little protection for the public outside of the venue.

E. Gender Equality and the Objectification of women.

That nude dancing and lap dancing encourages the objectification of women and men and will contribute towards the breakdown of family relationships. Such activities can promote unhealthy addiction being linked to the drugs trade and people trafficking.

F. Equality Duty

The Council is obliged by the Public Sector Equality Duty to have due regard to the need to eliminate sex discrimination and sexual harassment, and to advance equality of opportunity between men and women. Such venues also send clear messages about women's place in society as second class citizens and men's ownership of public spaces above women and children.

15. Equalities Impact Assessment

(a) Before making a decision, section 149 of the Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following "protected characteristics": age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:

i) eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.

ii) advance equality of opportunity between persons who share a relevant protected characteristic and those do not share it. This involves having due regard, in particular, to the need to:

- remove or minimise disadvantage suffered by persons who share a relevant protected characteristic.

- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);

- encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

iii) foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.

(b) This duty places an obligation on the Licensing Committee to ensure that due regard to the need to promote equality is given in every aspect of its decision making, this will include the circumstances of each individual application, the making of findings of fact and their impact, the taking into account of any objections and of any response the applicant may choose to make when heard by the committee.

(c) The Council is committed to ongoing equalities impact assessment of its policy, standard conditions and individual applications. The assessment in this paragraph is intended to focus on the consideration of the four transitional applications received since the first appointed day. The following paragraphs identify some issues that may be considered relevant to the need to have due regard as described above. It is not intended to be an exhaustive list but aims to highlight issues that are anticipated to arise in applications for SEV licences, although it should be born in mind that each application must be considered on its own merits.

(d) Suitability of the applicant

The SEV Policy sets out a number of discretionary grounds under which a licence can be refused. The application process requires details of relevant court and tribunal proceedings, including findings of relevance to the conduct of the management towards persons with protected characteristics and of any convictions to be made known to the Council. This expectation is particularly relevant to the duty due to the risk of an adverse impact on equalities groups that may result if an unsuitable person is permitted to hold such a licence. Should any SEV licence be granted a set of robust conditions may be imposed that can cover all aspects of the operation, including the protection of workers providing any activity allowed under the licence. The majority of the premises that are likely to be regulated under this regime predominantly employ or contract women to provide relevant entertainment and therefore it is particularly relevant in connection with the gender equality duties. In addition to consideration of any convictions it is also important to consider whether the applicant has committed any relevant offences, for example breaches of any conditions on licences held under similar regulatory regimes. The applicant's experience is also an important factor as the committee will wish to be satisfied of the person's ability to ensure the safety and wellbeing of performers, employees and members of the public. The committee will also wish to be confident of the applicant's ability to understand and adhere to any conditions imposed should any licence be granted. Members have identified in the development of their policy and when making regulations establishing standard conditions that women involved in the provision of lap dancing and similar relevant entertainment can experience harassment, sexual assault, arbitrary fines, lack of clearly defined rules and unsafe working conditions. Plainly confidence that operators and the team they employ are suited to the high standard of management and adherence to conditions that the Council expects is relevant to the Council's positive obligations under equalities legislation.

(e) Character of the locality

Urban Tiger is located on St Augustines Parade adjacent to the main transport hub for the city centre. The transport hub operates on a 24/7 basis and is the embarkation point for night buses serving South Bristol. This location is in the heart of Bristol's night time economy and attracts higher levels of violent crime than other areas of the city. For this reason, following requests from the police due to the high levels of alcohol fuelled crime, this locality has been designated as a Cumulative Impact Area in the statement of licensing policy adopted by the Council under the Licensing Act 2003. Members should consider, on the basis of the application before them, whether this is a suitable operation at this particular location. Factors to take into consideration could include the impact of

the proposal on persons with protected characteristics who may be in the vicinity of the premises bearing in mind the high footfall at this location.

(f) The Premises

Members will have had the opportunity to visit the premises and view plans of the layout. Members will need to consider if there are any accessibility issues and, if so, measures proposed to address them. The type of operation undertaken at the premises can reasonably be described as a lap dancing club and it would not be unreasonable to assume that the performers at the premises will generally (although not necessarily always) be women providing regulated entertainment to a male audience. Members are therefore required to have due regard to the duties described above. In particular members should consider the impact of the layout of the premises, whether they provide a high level of safety for performers, consideration should be given to CCTV coverage of the premises including the quality of the images and the monitoring arrangements. This will be highly relevant in areas where, if permitted under the terms of the licence, private dances may take place. The external appearance of the premises could also be relevant to the duty. Members need to be satisfied that any frontages are appropriate and, for example, ensure due regard is given to the potential for what is proposed to impact on the need to foster good relation between persons who share a relevant characteristic and those who do not.

16. Late Objections

There are a number of ways in which objections are made after the statutory deadline. Individuals or bodies seeking to object might write to your officers, or use the public forum process, or seek to lobby committee members. It used to be thought that the legal position was that late objections could not be received and considered in this regime, but case law has now made it clear that there is discretion to take late objections into account.

17. Late objectors do not have the rights enjoyed by those who have made their views known before the deadline, who have a statutory right to anonymity and a statutory right to have their objections taken into account.

18. The committee has indicated that, given the length of the transitional process, it is minded to take into account material that is received after the deadline but that may be relevant to their deliberations. The committee will ensure that the applicant company has a full opportunity to answer any late issues raised over and above those that are already included in this report. This includes not only an opportunity to address the committee at this meeting but also to make any written representations that will be included in the report to the further meeting of this committee that will determine all four transitional applications once they have all been individually considered.

19. Observations of the Chief Officer of Police.

The Police observations relate to incidents and significant issues that they are aware of, which occurred between 1 January 2011 and 13 December 2011. The observations are set out below:

- (i) This is a report on the Urban Tiger for Bristol City Council Licensing Committee when considering their application for a Sex Entertainment Venue licence. This report has been prepared to give a snapshot of the Avon and Somerset Constabulary involvement with the premises from the 1/1/2011 until 13/12/2011.

The report has been compiled in many cases from a number of sources. In preparing these the police have endeavoured to be fair and balanced and to reflect a true picture of what happened.

It is likely in working through the incidents and writing a précis of events certain entries in particular documents have been revised so that for instance a

suspected serious injury in an initial report may be reduced to bruising in the summary, equally where the outcome was more serious that is likely to be reflected in the summary.

The source data used in preparation of this file includes witness statements, e-mails, memos, crime and police reports, intelligence reports, meeting notes and police storm logs (incident reports). In every case, where there is doubt over the summary, reference should be made to the source data that held by Avon and Somerset Constabulary.

If any party wishes to seek clarification on any point within the documents or source data the police will endeavour to assist.

(ii) Incident Logs.

Below is a summaries list of all 'incidents' and significant issues that have occurred between 1st January 2011 and 13th December 2011. The source of the documentation which relates to the summary is referred to by incident number and the original is held by Avon and Somerset Constabulary. They have been 13 incident logs during this period none of which raise any significant concerns.

7/1/2011. AS-20110107-0050.

Council CCTV saw a male with blood on his face outside club. Police attended and door staff stated that the male had been touching the dancers. The male had then got behind the bar before being ejected from the club. The male refused to give any details about the incident. There were no allegations from either side so NFA was taken.

6/2/2011. AS-20110206-0062.

A male reported he had been assaulted by door staff at the club. After police investigation it was found that the male was part of a group refused entry to the club. A fight broke out within the group and the male had been assaulted by another member of the group and not by any member of the door staff. One male was arrested as a result of refusing to leave the area.

12/2/2011. AS-20110212-0662.

Door staff requested police assistance. On police arrival no offences disclosed to police by either club or other party involved. NFA taken.

18/2/2011. AS-20110218-1279.

Club reported a burglary.

11/3/2011. AS-20110311-0553.

Club reported an attempted burglary.

19/3/2011. AS-20110319-0205.

Male reported he had been thrown out of the club for no reason and had been punched by a member of the door staff. Male refused to give further details and was abusive to the police call handler.

21/4/2011. AS-20110421-0013.

A group four males were ejected from the club. One male had a knife removed from him. One male in the group then damaged a car belonging to a member of staff at the club along with two other motor vehicles. The four males were arrested and one of them was found to be in possession of class C drugs. This male was charged with a public order offence, two accounts of criminal damage and possession of drugs. There was insufficient evidence to charge the other three

males. Crimes 46800/11, 46801/11, 46805/11, 46814/11 & 46817/11 refer.
Linked logs AS-20110422-0745 & AS-20110424-0859.

5/5/2011. AS-20110505-1315.

Male reporting he was assaulted by door staff. Police viewed CCTV and this contradicted the males' statement showing he had taunted the door staff who had them used reasonably force to move him away from the club. Crime 55258/11 refers.

13/5/2011. AS-20110513-1216.

Same male as above reporting door staff made a homophobic remark to him. Male did not assist police investigation so crime filed NFA. This may have been a false allegation. Crime 56022/11 refers.

20/5/2011. AS-20110520-1426.

Police patrol approached by male who stated he had been assaulted by door staff. Male then moved away with his friends and gave no further details.

5/8/2011. AS-20110805-1408.

Licensing check by the Licensing Joint Enforcement Team (JET) comprising members of Police force and Council Officers. See below under visits to premises.

30/9/2011. AS-20110930-1274.

Male reported he had fallen asleep in entrance to the club and door staff had kicked him. Male later withdrew allegation and NFA was taken.

11/11/2011. AS-20111111-1387.

Group of males were ejected by door staff for causing problems within the toilets. Males were very aggressive towards door staff and one male punched a member of door staff. Police attended but no allegation was made by the door staff so NFA was taken.

(iii) Visits to premises.

A licensing check visit was made by officers of the Police and Council's enforcement team operating within the Joint Enforcement team (JET) on the 5/8/2011.

The following breaches were found.

1. Door staff not entering correct first name in door staff register.
2. Seized drugs not logged in a bound book.
3. No staff training records.
4. No free drinking water sign.
5. Fire extinguisher out of date (7/07)

A letter was sent to the management of the venue requiring the above to be rectified.

20. In addition the Police have provided some observations that they consider ought not to be in the public domain. Under paragraph 7 of Part 1 of Schedule 12(A) by the Local Government Act 1972 as amended by the Local Government (Access to information)(Variation) Order 2006 the material has been included in a short exempt report that the committee should consider after the public have been excluded from the meeting. The Applicant and its representatives, together with the Chief Officer of Police's representative (if in attendance) should be permitted to remain to enable them to address the committee about the material in the exempt report should they wish to do so.

21. Determination of application.

Members will be aware that all applications received between the 31 January 2011 (First

Appointed Day – FAD) and the 31 July 2011 (Second Appointed Day – SAD) must all be considered before any application can be determined. There are four such applications in total. Members are therefore asked to engage in consideration of this application at this meeting but to defer tabling of resolutions for the grant or refusal of the application to the meeting scheduled to take place on 30 January 2012.

22. Mandatory Grounds of Refusal

A licence shall not be granted:

- a) to a person under the age of 18; or
- b) to a person who is disqualified by reason of prior revocation of a licence;
- c) to a person, other than a body corporate, who is not resident in an EEA state or was not so resident throughout the period of six months immediately preceding the 4 July 2011;
- d) to a body corporate which is not incorporated in an EEA state, or
- e) to a person who had, within a period of 12 months immediately preceding the date when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.

23. These are mandatory refusal grounds. Having considered the information provided through the application process your officers advise that none of these grounds appear to apply in this case. Members should therefore focus their considerations on whether any of the discretionary grounds for refusal arise in respect of this application. These are dealt with in turn in the following paragraphs.

24. Discretionary Grounds of Refusal, paragraph 12(2)(a):

The Council may refuse the grant of a licence on one or more of four statutory grounds which are referred to in the following paragraphs:

Grounds a) and b):

- a) That the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
- b) That if the licence were to be granted the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant of such a licence if he made the application himself.

25. The Council's policy identifies a number of factors that the Council may take into account in considering the suitability of such persons, these are set out on page 6 of the policy under the heading 'Discretionary grounds a) and b)' as follows:

In considering the suitability of those persons referred to in (a) and (b) above the factors the Council may take into account include:

- relevant experience;
- relevant criminal convictions;
- whether the person has committed relevant offences;
- relevant observations or findings by public authorities, including licensing authorities, in connection with the conduct of the person or their ability to manage and control premises;
- relevant findings by courts and tribunals in connection with the treatment of protected groups (within the meaning of the Equalities Act 2010)
- information germane to the person's ability to, among other things:
 - ensure the safety and wellbeing of performers;
 - ensure the proper protection of the public;
 - ensure the suitability of employees, performers and others using the venue;
 - prevent performance by or for those who may thereby be harmed, including minors;
 - understand and adhere to conditions imposed on any licence granted and ensure they are observed by others on the premises;

- engage constructively with the Council and other relevant regulators

26. An inspection visit was conducted at the premises on the 16 December 2011 by licensing enforcement officers to ascertain the current status of compliance with conditions attached to the premises licence issued under the terms of the Licensing Act 2003, which permits the sale and supply of alcohol, regulated entertainment and late night refreshment. The findings of that inspection are currently sub-judice and as such ought not to be in the public domain and as a consequence have been included in the short exempt report referred to at paragraph 20 above.

27. The applicant has been required through the application process to provide details of any convictions and of any other information that may be relevant to the consideration of this ground. A summary of the questions posed in the application form and relevant responses are attached as Appendix H. Members will note that there is no evidence of conviction, caution, discrimination cases, pending allegations or other matters in the summary that cast doubt on the suitability of the applicants to manage such premises. Your officers have no reason to doubt the veracity of the information then provided.

Information has been declared that an application for the grant of a premises licence under the Licensing Act 2003 for the sale and supply of alcohol, relevant entertainment and late night refreshment for a lap dancing venue in London was refused by a Council in London in February 2010. On that occasion there were no representations in respect of that application from Responsible Authorities (ie Police, Fire, etc). There is no information to suggest that this refusal has any relevance to any grounds under consideration in respect of this application for an SEV. Members however may wish to seek additional information from the applicants in respect of the refusal.

Observations made more recently by the Chief Constable and Licensing Officers that are included in the exempt report referred to in paragraph 20 above, may be considered pertinent under the suitability ground for refusal.

28. Ground c)

That the number of sex establishments, or sex establishments of a particular kind, in the relevant locality at the time the application is determined is equal to or exceeds the number which the authority considers is appropriate for that locality.

29. The Council's policy sets out how it will usually approach this issue. At a meeting of this committee on the 21 January 2011 the process by which this would be done for the transitional applications, namely that the Authority would review the applications and identify the locality or localities in which licences have been applied for. Having done so it would:

- apply its mind to those localities in a suitably focussed manner;
- identify any which were already subject to numerical control for other forms of sex establishments and consider whether those decisions need to be revisited;
- consider whether there is a number of sex establishments, or sex establishments of a particular kind which the authority considers is appropriate for that locality (which may be nil);
- make its stance known to the public (in particular to applicants and existing licensees in the locality) in advance of making decisions on applications.

30. At its meeting on the 23 November 2011 the committee decided that the City Centre (mirroring the City Centre Cumulative Impact Area (CIA) as applicable to the Licensing Act 2003) was the relevant locality for these premises and discussed the character of that locality having regard to its policy. The Council's existing paragraph c) policy was reviewed and it was resolved that the appropriate number of sex establishments of a particular kind for this locality should be:

Sex shops – 2
Sex cinemas – 0
Sexual entertainment venues (SEV) – 2

31. The committee is reminded that policy is guidance, not rules and whilst the public and applicants can expect that adopted policy will usually be followed the policy must not be rigidly or inflexibly applied and nor must it be allowed to fetter the discretion of the decision taker. Therefore the committee should keep an open mind to arguments that its policy is wrong and / or that it ought not to be relied upon to found a refusal in a particular case.

There are currently no licensed SEVs in the City Centre area, there are currently two other application in additions to this within this locality seeking an SEV. Therefore if the Council follows its current policy this ground of refusal may be triggered when this application comes to be determined.

32. Ground d)

That the grant or renewal of the licence would be inappropriate having regard –

- (i) to the character of the relevant locality; or
- (ii) to the use to which any premises in the vicinity
- (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

33. **Ground d)(i)**

That the grant or renewal of the licence would be inappropriate having regard to the character of the relevant locality.

At first glance this ground might appear to be a repetition of ground c) but the committee is reminded that whilst ground c) decisions concern sex establishments, or sex establishments of a particular kind, generally, ground d) is concerned with appropriateness of granting the particular licence applied for having regard to the relevant locality.

Accordingly, simply because ground c) does not apply to a particular application, it does not follow that ground d)(i) cannot arise. This is because, if granting a licence to provide a particular type of relevant entertainment, for example, were considered to be inappropriate having regard to the character of the relevant locality, then this ground may be relied upon to found refusal notwithstanding that other types of relevant entertainment, or premises of a different appearance, or in a different part of the relevant locality etc may not be deemed to be inappropriate in that same locality.

In other words the test in d)(i) is focussed on the particular application and its appropriateness in the locality.

34. The adopted policy expects the character of the locality to be considered and the following factors to be taken into account:

- (i) the size and appearance of the premises
- (ii) their proximity to places where the public congregate for purposes other than use of the premises, such as bus stops and taxi ranks.
- (iii) the nature and style of the relevant entertainment that is proposed
- (iv) the nature of the clientele it is likely to attract and their number
- (v) the duration of the proposed licence / activity
- (vi) the manner in which the relevant entertainment is likely to be managed
- (vii) the risk of nuisance to others engaged in legitimate activity
- (viii) the proposed hours of operation

35. Members will note a number of objections are made to the appropriateness of granting this application that address factors identified in your policy as set out above.

36. **Ground d)(ii).** The use to which other premises in the vicinity are put. Members will note that this ground refers to vicinity and not locality. Members will have conducted a site visit prior to considering this report and have the benefit of other information in the application form as well as that contained in this report and their own local knowledge to help in the consideration of the factors the policy expects to be taken into account in considering this ground, as follows:

Whether premises in the vicinity are out to any of the following uses:

- (i) Residential, in particular homes occupied by families
- (ii) leisure,
- (iii) educational establishments
- (iv) churches and other places of worship
- (v) family friendly facilities
- (vi) other sex orientated / adult premises (whether or not they are licensed / licensable)
- (vii) youth clubs
- (viii) women's refuges
- (ix) community centres
- (x) parks and other open spaces
- (xi) swimming pools
- (xii) public transport.

37. **Ground d)(iii).** That the grant of the licence would be inappropriate having regard to the layout, character or condition of the premises in respect of which the application is made.

The policy expects the following to be taken into account:

- (i) Whether the premises are fit for the purpose proposed
- (ii) their planning status
- (iii) the general appearance to others using the locality
- (iv) whether premises are self contained
- (v) means of access and egress, whether shared with other building users (if any)
- (vi) accessibility
- (vii) sight lines
- (viii) 'hidden' areas and other places where effective monitoring may be hampered
- (ix) standard decoration and 'fit out'
- (x) visibility from the street
- (xi) facilities for smokers
- (xii) facilities for performers (changing, washing, wc, smoking areas, etc) and whether they are adequately separated from those provided for customers.

38. The granting of a Sexual Entertainment Venue licence has an effect on the conditions that are attached to a premises licence granted under the Licensing Act 2003. this issue will be addressed further when applications fall to be determined.

Legal Implications

The key provisions are reflected in the main body of the report.

Members are aware that transitional and savings provisions apply to the first round of applications for a sexual entertainment venue licence. This application is one of four such applications received in Bristol, all from existing operators who have a licence under the Licensing Act 2003 and who use their premises as a

sexual entertainment venue under that 2003 Act licence.

Under the transitional provisions the council must not determine any application made between the first and second appointed days until they have considered all such applications. This means that the council can only consider the application from the applicant at this meeting; it is prohibited from deciding at this stage whether or not that application should be granted or refused.

The committee will therefore wish to focus its consideration of the application on whether or not any of the grounds for refusal arise in this case. The report accurately sets out those grounds. It will be a matter of fact and judgment in respect of each ground whether or not they are capable of applying in the particular application under consideration and, where they are available, a matter for determination by the Committee meeting on 30 January 2012 whether or not to exercise its discretion to refuse the application.

Where (as in Bristol) the Council have made regulations prescribing standard conditions, every licence granted renewed or transferred by them shall be presumed to have been so granted renewed or transferred subject to any applicable standard conditions unless they have been expressly excluded or varied. Members will appreciate that the imposition of conditions is not the focus of this report. However the inclusion of information regarding the applicant's request that certain standard conditions ought to be excluded and or varied in respect of any licence granted to it provides an opportunity for the committee to explore any issues arising out of those requests with the applicant at this stage.

Subject to acting within the statutory constraints referred to in this report and compliance with the council's own procedural rules, the committee is able to set its own procedure for the conduct of the meeting. In considering the application the Committee must have regard to any observations submitted to them by the Chief Officer of Police and any objections of which notice has been sent to them under paragraph 8(15) of the third schedule to the 1982 Act. Sub paragraph 15 is set out in full in the report. All objections have been notified to the applicant to whom the Committee has afforded a right to appear before them and be heard.

The committee has indicated it will consider whether any late objections can be received. The committee is advised that the content of any late objections that are accepted for consideration ought to be provided to the applicant in sufficient time to enable the applicant to consider and deal with them appropriately.

The Act requires that an opportunity of appearing before and being heard by a committee or sub committee must be afforded to an applicant before refusing to grant, renew or transfer a licence etc. There is no requirement to allow objectors to be heard although this may be permitted. In exercising any such discretion the Council must have regard to the risk of unfairness to the applicant. The meeting should be conducted as a hearing of the Applicant's case for grant of a licence and not as an adversarial contest between the opposing views of the applicant and the objectors. In hearing from objectors the Committee must ensure that the Applicant's opportunity to deploy all appropriate arguments to the committee remains unimpeded. It is recommended that the Committee Chair set out the arrangements for enabling objectors to address the meeting and for affording a hearing to the Applicant. Standing orders should be suspended for this part of the meeting to facilitate this.

Pauline Powell

**Senior Solicitor
For Head of Legal Services**

APPENDICES

Appendix A - Locality map

Appendix B - Plan of premises

Appendix C - Applicant logo to be displayed on the exterior of the premises

Appendix D - House rules

Appendix E - Performer's rules / contract

Appendix F - Additional information requested to be taken into account

Appendix G - Details of public objections

Appendix H - Summary of responses to questions to applicants

Appendix I – Conditions as currently attached to the premises licence.

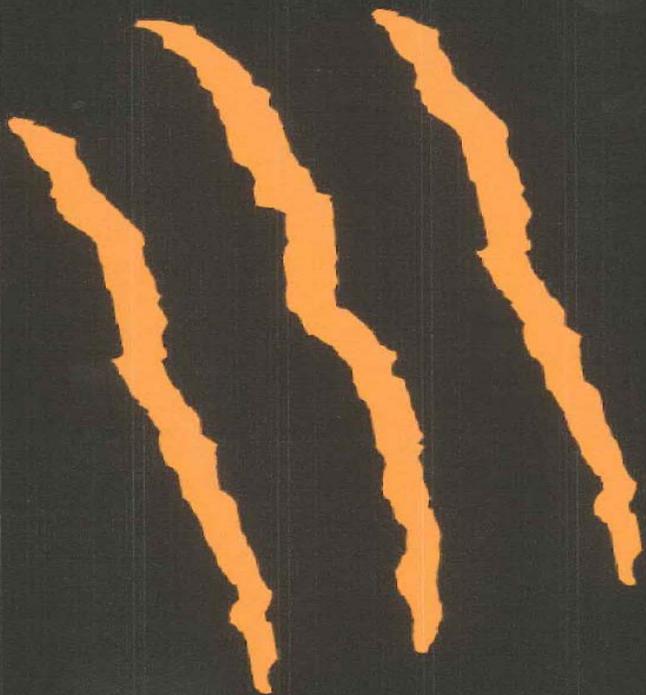
RECOMMENDED: The Committee is asked to consider the application.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background papers: Application, letters of objection

**Contact Officer: Myra McSherry, Licensing Administration Manager
Neighbourhoods
Telephone: 01179142500**





URBAN TIGER
GENTLEMEN'S CLUB



URBAN TIGER
GENTLEMEN'S CLUB

House rules

**HOUSE RULES**CONDITIONS AND HOUSE RULES

1. If invited, a dancer will dance for you. A recommended minimum tip of £5/£10 will be paid for topless and £20 full nude for each recorded track. A single dance will be for approximately 3 minutes.
2. You may invite a girl to stay at your table for up to 5 recorded tracks and tip her at your discretion. She may accept a drink whilst at your table.
3. Dancers must not be propositioned in any manner.
4. Whether or not there is a bar operational, we will always have waiting staff to provide a full drinks service.
5. Dance vouchers may be purchased through your waitress or floor host. This facility is subject to 20% charge including VAT.
6. We accept most major credit cards. Cheques must be supported by a banker's card. All prices are inclusive of VAT. All prices and details are subject to alteration.
7. There is no personal photography allowed. All cameras must be handed in to the cloakroom before entering the premises.
8. No phone cameras can be used in the club.
9. Other than arrival and departure, visiting the cloakroom, lavatory or standing in the bar area, customers must remain seated at all times.
10. Apart from the shaking of hands on introduction and the placing of money or dance vouchers in a garter or hand, there is no intentional full body contact allowed at any time during the performance.

If you fail to obey our strict house rules, you will have to leave Urban Tiger and may be refused future entry.

If you have any questions, please ask for the floor host or duty manager.

Rights of admission are reserved.

Code of Conduct for Dancers



CODE OF CONDUCT FOR DANCERS

THE FOLLOWING APPLIES AT ALL TIMES AND MUST BE READ SUBJECT TO ANY VARIATIONS AGREED WITH STATUTORY AUTHORITIES ATTACHED

1. Dancers must be aged 18 years or older and provide the following documents before they may commence working in the premises;
 - a) Proof of age (photographic proof of identity showing date of birth). A copy to be made and kept in individual Dancer files for each Dancer.
 - b) Proof of address - 2 forms of proof (utility bill, phone bill, V5, Bank statement etc). A copy to be made and kept in individual Dancer files.
 - c) If not a citizen of the EU community, the dancer must provide proof of permission to work in the UK. A copy is to be kept in the individual dancers files.

2. No Striptease of any form may take place if such a performance may be visible to people outside the premises.

3. All Dancers are to complete an Induction process before they may commence working in the premises to include;
 - a) To thoroughly read the Code of Conduct and sign to confirm the Dancer has read & understood it – a sign off sheet to be kept in the individual Dancers' file.
 - b) Explanation of Stage and Podium requirements
 - c) Schedule requirements and Changing Room Etiquette
 - d) Customer Relations and Conflict Management
 - e) Fire Safety – Health and Safety

4. Dancers may never give out any personal contact information, including telephone numbers, or contact details away from the Club. Dancers may provide a customer with the days and shifts they or other dancers work at the Club.

5. Dancers may never accept any telephone number, address or any other contact information from any customer except in the form of a business card, but may not make use of that information to contact the customer. Before leaving the premises; dancers must permanently surrender all such cards to a member of management (without copying any information).

6. Dancers are never to perform a nude table dance unless in a supervised area

7. Dancers may not use language of an inappropriate or sexually graphic nature at any time.

8. Dancers may only consume alcohol in moderation.

9. During the performance of a nude or semi nude dance:
 - a) Dancers must not allow intentional full body contact or straddle the customer.
 - b) Dancers must maintain at least one shod foot on the floor at all times and not place their feet on the booth seat.
 - c) Dancers may not perform any act which may offend the customer and must stop the performance immediately if requested to do so by the customer, door supervisor or management

10. If a customer attempts to touch, or speak to any dancer inappropriately, the dancer must immediately stop the performance and explain the relevant customer rules. If necessary, ask for assistance from and cooperate with a floor supervisor, who will take appropriate action, which may include escorting the customer out of the Club.

11. Dancers are never to engage in an act of prostitution (to include the receiving of gratuities or payments for any form of sexual favour or offer of such).

12. Dancers must not accept a customer's offer of payment in return for sexual favours and must report any such behaviour to a member of management or supervisor.
13. Dancers must not engage in communications that could be deemed as acts of prostitution or solicitation.
14. Dancers are never to agree to meet a customer outside of the Club.
15. Dancers must never engage in any unlawful activity within the Club.
16. Dancers may never leave the premises during a shift, except in the case of an emergency and then only with the express permission of the duty manager. In that event, dancers must sign out before leaving the premises. If a dancer leaves early, for any reason, the dancer will not be re-admitted during that shift.
17. At the end of the night shift, dancers must not leave the premises until after the customers have departed and then have been cleared to leave by the manager.
18. Topless table dances and full nude table dances may be performed for the pre-determined rate.
19. Whilst performing on stage or podium, Dancers shall not perform any act which is likely to offend the customer and must stop the performance immediately if requested to do so by door supervisors or management.
20. By agreeing to dance at the club, the Dancer accepts that the club may use any recording as the club deems fit and in accordance with the Data Protection Legislation.
21. Any dancer found to be in violation of any of these rules, without exception, will be subject to the cancelation of pre booked shifts.

ANY BREACH OF THE ABOVE RULES
 MAY RESULT IN THE DANCER BEING EXCLUDED FROM THIS CLUB
 AND ALL OTHER ASSOCIATED CLUBS WORLDWIDE.
 OBEY THE CODE! COMPLY WITH STATUTE LAWS!
 USE COMMON SENSE!
 WE HAVE ZERO TOLERANCE FOR;
 PROSTITUTION, SOLICITATION, UNLAWFUL DRUGS, UNLAWFUL CONDUCT!

The signing of this document signifies that you, the dancer, have read and understood the CODE OF CONDUCT FOR DANCERS, and that you agree to comply with the Code of Conduct and accept the obligations under it. This document is in no way designed to restrict your own artistic performance or freedom of expression.

Dancer signature _____

Dancer printed birth name _____

Dancer stage name _____

Printed Club Manager Name _____

Date Signed _____

Additional information applicant wishes the Council to take into account**ADDITIONAL INFORMATION IN RESPECT OF APPLICATION FOR GRANT OF
SEXUAL ENTERTAINMENT VENUE LICENCE FOR
URBAN TIGER, 4 BROAD QUAY, BRISTOL****Question 5 A)**

Additional Details requested to be taken into consideration.

This venue has offered adult entertainment since July 2005, when it initially traded as Velvet Lounge. Following that it traded as Minx, and has been operated by Nightlife Clubs Limited (the applicant Company), with the trading name Urban Tiger, since March 2010. The Managing Director of the applicant Company has over 14 years experience in this trade (having started with the original table side dancing venue in this country, and growing with its UK Company to operate the greatest number of high quality venues, enjoying an excellent reputation, in the country).

This venue has operated without detriment to those living, or working, in the area for 6 years. It is a highly reputable business providing both customers wishing to enjoy the entertainment offered, and performers, with a luxurious and safe environment in which to do so.

It additionally makes a valuable contribution to the City's late night business offer and economy, as well as offering a source of income for both staff and performers.

NB These are brief additional details, and the applicant reserves the right to make further and fuller submissions, both generally and in law in the event that a hearing of this application is necessary.

V2

Ref.	Approximate location of objector	Summary of Objection
WITHIN BRISTOL		
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20,	Upper Cranbrook Road Lower Redland Rd Wessex House Rose Rd Fairfield Rd Longmead Ave Greenbank Ave West Maple Rd Granston Close Wickham View Wellington Lane Fairfield Place Parry's Lane Gloucester Rd Arley Hill Lynton Place Stephen St All Saints Rd Orlebar Gdns Berlington Court	<p>Template letter:</p> <p>Premises is visible from many parts of Broad Quay. Immediately outside are seven city centre bus stops that are used by commuters and school children on a daily basis and by passengers late into the night. Airport flyer bus stop is also in close proximity. Premises likely to attract stag parties which will be made up of large groups of men who will be drinking. Management of adverse behaviour can only be reactive and cannot prevent crimes such as sexual assault taking place.</p> <p>The venue is situated close to the Bristol Hippodrome, open space enjoyed by families and children (ie the fountains area), a large hotel and backpackers hostel, 200 apartments, bus stop of sight-seeing bus and a coach drop off point.</p>
21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41,	Outside of Bristol Manchester Bradford Thornton Heath Coventry Peterborough Cheltenham Glasgow Glasgow Swansea Swansea London London Leeds Hove Durham Cardiff Lichfield London Bromsgrove Bath London	<p>Objection 20 added that they currently enjoy the freedom that Bristol offers a young single pedestrian and does not feel threatened walking alone late at night. Establishments such a Urban Tiger encourages a view of women as sexual objects. Bristol will be akin to Eastern Europe where drunken men on stag parties roam the streets and is not the image that should be portrayed.</p>

Ref.	Approximate location of objector	Summary of Objection
42, 43.	East Coker Northampton	
44.	In Bristol Somerset St	Premises are adjacent to the cascade and fountains where children play. The area is major tourist location and en route to other prime attractions such as Millennium and Anchor Squares. Premises would create a seedy and detrimental impression. Allowing application is likely to increase existing public disorder.
45.	Armidale Place	Resident who works and socialises in Bristol who has been subjected to verbal sexual harassment from men smoking outside of these premises, including sexist and homophobic language from door stewards. Men have a sense of ownership of public spaces and entitlement to sexually objectify women as a result of the normalising effect of the presence on the high street of the sex industry. The venue is adjacent to hundreds of residential premises, is right in the centre of one of the busiest parts of the city.
46.	Grove Rd	Concerns regarding management of antisocial behaviour arising from targeting of stag parties consisting of large groups of drunken men. Management can only be reactive. Regulation is more difficult outside of venues. Lap dancing promotes a cultural objectification of women. Venue is close to the Hippodrome and the fountains which is a busy area for families, children and tourists. The area is a hub for public transport and women have been harassed by men in smoking area or queuing outside the venue. Student accommodation is close by, a flyer was placed there advising that working in the premises was a way to fund studies which has resulted in a student acquiring a cocaine habit and having been assaulted by a man who followed her. Venue is in close proximity to a church, Samaritans office, back packers hostel, hotel and 200 apartments, housing association accommodation, register office and another lap dancing venue.
47.	Falcondale Rd	Dislike of being unable to avoid seeing venue and avoid taking children into those areas where the premises are located. Avoid going into the city centre at night because of feeling unsafe and has experienced being sexually harassed by a drunken man whilst waiting for a bus. Prevalent street sexual harassment by men is related to men's sense of ownership of public spaces and to their sense of entitlement to sexually objectify women which is related to the normalising effect of the presence on the high street of the sex industry. The premises are prominently located in the city centre which includes leisure and family friendly facilities. It is also adjacent to a bus hub where children, visitors, families and commuters alight or wait. Stag parties are also renowned for their detrimental effect and this type of venue caters for and encourages

Ref.	Approximate location of objector	Summary of Objection
		such groups.
48.	Priory Rd	This club is likely to negatively affect the perception of safety in this area, may have a negative impact on crime and disorder in the area, carries a risk of public nuisance and negatively impact on tourism. Concerns that they do not feel safe walking or cycling past this venue, is intimidated and nervous about experiencing sexual harassment. Do not like to see posters or flyers which sexually objectify women.
49	P O Box	Premises are visible from many parts of Broad Quay, outside are seven busy bus stops that are used by school children and commuters and passengers late into the night. Stag parties are attracted to such venues which are often made up of often large groups of men who will be drinking. Management of adverse behaviour can only be reactive and is close to a theatre, open space used by families and children, hotel, backpackers hostel, 200 apartments and sight-seeing bus stop.
50.	Merchants Rd	Premises is situated in a key city centre location, series of bus stops used by children, commuters and tourists and public late at night. Is close to many large entertainment, tourist and residential facilities. Nature of the entertainment will have a detrimental effect on a number of aspects including sexual harassment of women, create no-go areas, negative effect on businesses. This objector has quoted that the premises wish to remove a standard condition regarding no touching and the requirement to provide separate changing facilities neither of which form any part of the application.
51. 52. 53.	Rosling Rd Station Rd Rosling Rd	Sexual entertainment venue is inappropriate as it is inconsistent with character of city, located at a transport hub, is within a residential area also used for leisure and cultural activities and is inconsistent with the public sector duty to promote gender equality.
54.	Cromwell Rd	Concerns regarding the impact on women's safety and that they feel threatened and uncomfortable by the presence of such premises in public areas, around homes, places of work leisure and recreation. Such venues target students, encouraging female students to work in such places and offering male students discounts to visit them.
55.	Albert Park Place	Premises is situated in a key city centre location, series of bus stops used by children, commuters and tourists and public late at night. Is close to many large entertainment, tourist and residential facilities. Nature of the entertainment will have a detrimental effect on a number of aspects including sexual harassment of women, create no-go areas, negative effect on businesses.
56.	Park Street	City centre location makes continued use as an SEV inappropriate being in close proximity to places where the public congregate. The area is used by thousands of people either to use the bus stops, for work or leisure. It

Ref.	Approximate location of objector	Summary of Objection
		is also in close proximity to an hotel and a number of residential dwellings.
57.	Woodlands Rd	The venue is close to the Harbourside, shops, hotel and new restaurants, art museum, architecture centre and theatres which are attractions to the city. Men are the target audience who may be under the influence of alcohol which combined with strong sexual stimulant, group dynamics and reduced sensitivity to polite behaviour resulting them in behaving in an appropriate manner towards women.
58.	Cotswold Rd	A great deal of time effort and money has been spent on re-developing the centre of Bristol to make it a shared community space for all sections of society. Licensing an SEV in this area encourages large groups of people who are demographically more likely to drink excessively and participate in anti-social behaviour and violence. It encourages the normalisation of women as sexual objects.
59. 60. 62.	Shadwell Rd York House Miles Rd.	Locality is inappropriate given character of the locality and the uses to which nearby premises are put. Residential area, bus hub, leisure and family friendly facilities. The venue target stag parties which are renowned for their negative impact on city centres by attracting large groups of young men. Management of such venues can only be reactive and cannot prevent crimes occurring outside of the venue.
61.	Redland Rd	Women are subjected to verbal sexual harassment from men outside and in the vicinity of these premises. Prevalent street sexual harassment is related to men's sense of ownership of public spaces arising from the normalising effect of the presence on the high street of the sex industry. Locality is inappropriate given character of the locality and the uses to which nearby premises are put. Residential area, bus hub, leisure and family friendly facilities. The venue target stag parties which are renowned for their negative impact on city centres by attracting large groups of young men.
63.	Falcondale Rd	Premises are directly adjacent to 200 residential premises, situated close to leisure and family friendly facilities in a very busy area of the city for vehicles, cyclists and pedestrians. The main bus hub is directly outside of this venue and drops off and picks up school children, tourists, commuters, passengers going to or from the airport and those on the sight-seeing bus. It is unacceptable that people especially women, the vulnerable and minors who are using the bus services must wait outside a sex club and are threatened by patrons who are generally intoxicated and arguably sexual excitement. The venue targets stag parties which are renowned for their negative impact in relation to crime and disorder.
64.	Saint Stephen's St	City centre is not a place to locate opportunities for the sexual leisure industry. Area has a space designed for all age leisure, adjoins an international hotel, has public

Ref.	Approximate location of objector	Summary of Objection
		transport stops outside, there are large numbers of residential properties, close to theatres, youth premises and general leisure attractions.
65.	Ashley ward	The location is right in the heart of the city, the fountains are filled with families, is in close proximity to the Harbourside, numerous residential dwellings, hotels and a bus stop for the sight-seeing bus.
66.	Choppington Northumberland	A recent article draws attention to research which indicates that exposure to sexualised images of women can lead to dehumanising attitudes towards them. Male customers of such venues when under the influence of both alcohol and live pornography may enact their attitudes in ways which are both harassing and discriminating against women they encounter.
67.	Leamington Spa	Location of the venue is inappropriate given the character of the local area and its proximity to nearby premises and the uses to which they are put. There is a travellers hostel, commuter / tourist transport hub and a local theatre.
68.	Frampton Cotterell	The venue is situated near to 7 busy bus stops, clientele are likely to be stag parties, close to the sight-seeing and airport flyer service bus stops. There is likely to be an adverse impact on the local community and is opposite an open space containing fountains that are enjoyed by children and families. There are numerous residential dwellings and an hotel nearby, it is also opposite the hippodrome theatre. The premises is situated on a busy street used by female commuters, female students and women visiting and walking through the city.
69.	Lytham St Annes	The location is inconsistent with the character of the city, located at a transport hub, is within a residential area which is also used for leisure and cultural activities. It is inconsistent with the public sector duty to promote gender equality

Table of Responses

Summary of Question	Applicant response
Corporate Body 1.7 A) Will the business for which a licence is sought to be carried on for the benefit of a person other than the applicant	N/A
1.8 A) Does the applicant operate any other sex establishment	N/A
Three individual responses regarding company directors etc. and one regarding corporate body responses Total of four sets of responses per question Details in [brackets] refer to corporate body questions and responses.	
9. Has the responder ever been disqualified from holding a licence under the LG(MP)A 1982	Three individuals – N/A
10. [8] Has the responder ever had licences refused on initial grant, renewal, reviewed or revoked. Sex cinema, sex shop, sexual entertainment venue, premises licence for sale and supply of alcohol or entertainment.	Three individuals – N/A. [Company – N/A] Except - One application for premises licence under LA03 refused
11. Has the responder ever had a personal licence refused, suspended or revoked under the Licensing Act 2003	Three individual – N/A
12. [9] Has the responder ever been convicted of a criminal offence, whether in the UK or elsewhere.	Three individuals – N/A [Company – N/A]
13. [10] Has the responder accepted a simple or conditional caution in respect of any criminal offence.	Three individuals – N/A, [Company – N/A]
14. [11] To the responders knowledge are they currently the subject of any criminal investigation.	Three individuals – N/A [Company – N/A]
15. [12] Has any responder ever been found by any tribunal or court of having engaged in unlawful discrimination of or harassment against any person with protected characteristics within the meaning of the Equalities Act 2010 or any equalities enactment preceding it	Three Individuals – N/A [Company – N/A]
16. [13] Are the responders facing any allegations of the type referred to in 15 above.	Three individuals – N/A [Company – N/A]
17. Have the responder ever been disqualified from acting as a company director	Three individuals – N/A
[14] Has the company ever been declared insolvent or entered into administration.]	[Company – N/A]

Conditions attached to Licensing Act 2003 premises licence.

Annex 2

1. The Premises Licence holder or its nominated person shall ensure that they engage with any local relevant operating Pub Watch or similar scheme and shall liaise at all times with local Police representatives.
2. Persons under the influence of alcohol or illegal drugs (including dancers and performers) shall not be permitted to enter or stay on the premises.
3. Customers will not be permitted to take bottles or glasses from the premises.
4. Overcrowding shall not be permitted in any part of the premises. The occupancy (which figure includes staff, performers and public) shall be restricted to 280 persons in the premises. The Premises Licence holder shall ensure that there are appropriate management controls to ensure that the occupancy figure is not exceeded at any time.
5. Save for New Year's Eve, there shall be no new entry to the premises and no re-entry (save for customers who had gone outside to smoke) after 03.00 hours. A Smoking Policy will be agreed with the Police.
6. SIA licensed door supervisors shall be used to vet customers and maintain public order.
7. A minimum of two supervisors shall be on duty each trading day from 21.00 hours until the premises close.
8. On New Year's Eve, Sundays before a Bank Holiday Monday, Fridays and Saturdays, an additional two door supervisors shall be on duty from 23.00 hours until the premises close.
9. The Manager shall, on request from a Police or licensing officer, name those persons employed as door supervisors at the premises at that time.
10. The Premises Licence holder shall ensure that the details of door supervisors employed at the premises are entered in a bound Duty Register kept for those purposes at the premises and made available to a Police or licensing officer immediately on request. The details in question shall cover the period of at least 31 days prior to the time of request and shall be the full name, badge number and expiry date, time of commencement and completion of duty of all such employed door supervisors.
11. The Premises Licence holder shall ensure that a Register of all Door Supervisors Employed at the premises is maintained, such register to include their full names and addresses, date of birth, contact telephone number and employing agency (if appropriate). This register shall be made available to a Police or licensing officer immediately on request.
12. The Premises Licence holder shall ensure that an Incident Report Register is maintained at the premises in a bound book in which full details of all incidents are to be completed as soon as practicable after the event and in any case no later than the close of business on the day of the incident. The time and date the report was completed is to form part of the entry. This Register (which will also include any CCTV breakdown reports) shall be kept at the premises and made available to a Police or licensing officer immediately on request.
13. All door supervisors shall be capable of communicating instantly with one another by

way of radio or other simultaneous means of communication.

14. Management shall ensure that all door supervisors employed at the premises wear a current identification badge issued by the SIA in a conspicuous position to the front of their upper body.

15. All door supervisors employed at the premises shall wear distinctive clothing or insignia to clearly identify them as such. Door supervisors at the front entrance shall wear some form of 'high visibility' clothing (such as a jacket or waistcoat) approved in advance by the Police and/or licensing authority.

16. The Premises Licence holder shall ensure that a search policy is implemented at the premises.

17. Any drugs and weapons seized shall be placed in a locked receptacle set aside for this purpose. The means for securing or unlocking the receptacle will be retained by the Premises Licence holder or Designated Premises Supervisor or in their absence a responsible person, who will also make suitable arrangements for the collection of any seized items by the Police. A record shall be made of the seizure including the time, date and by whom and to whom the items were handed, in a bound book kept for that purpose. This book shall be made available to a Police or licensing officer immediately on request.

18. The Premises Licence holder shall ensure that clearly visible signage is displayed to the public advising that :-

- the Police will be informed if anyone is found in possession of controlled substances or weapons.
- customers should not leave any belongings unattended.
- A 'Challenge 21' Scheme has been adopted and its method of implementation.

19. CCTV shall be operative at the premises and all CCTV equipment shall be maintained in good working order and shall continually record during trading hours and for a minimum period of two hours afterwards. The correct time and date shall be generated onto both the recording and real time image screen.

20. The CCTV recorded images shall be retained for a minimum of 31 days and made available to a Police or licensing officer immediately on request.

21. A member of staff technically able to operate the CCTV system and reproduce images into a removable format shall be available during all trading hours and shall comply with any reasonable request of an authorised Council or Police officer to view any CCTV footage that has been recorded. The removable format of the footage requested shall be produced within 24 hours of the said officer's request.

22. Any extension or replacement CCTV equipment shall be installed to the satisfaction of the licensing authority in consultation with the Police.

23. If the CCTV equipment (including mobile units) breaks down the Premises Licence holder or Designated Premises Supervisor or in their absence a responsible person shall advise the Council's licensing office and Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the Incident Report Register including the time, date and means of notification and to whom the information was passed. Equipment failures shall be repaired or replaced as soon as reasonably practicable and without undue delay. The licensing office and Police shall be informed when faults are rectified and the fact recorded in the Incident Report Register.

24. The Premises Licence holder shall ensure that all pint drinking glasses used within the premises are of polycarbonate or toughened or safety glass material to the appropriate safety standard such that they shall not produce sharp shards when broken.
25. A recognised proof of age scheme such as 'Challenge 21' shall be adopted and implemented.
26. The Premises Licence holder shall ensure that all front of house staff working at the premises receive appropriate training commensurate with their duties, including emergency evacuation procedures. A record of all training including reviews and refresher training shall be documented and available on request by a Police or licensing officer.
27. Promotional or one off events shall be notified to the licensing authority and Police at least one month prior to the proposed event. A documented risk assessment shall be conducted of any such event by management and shall be made available for inspection by an authorised Council or Police officer.
28. The Premises Licence holder shall ensure that management representative/s attend any management meeting of which it is notified requested by the Police to discuss any matters relating to the operation of this Licence considered relevant by them.
29. Free access to the premises is to be given to authorised Licensing Authority Police or Fire officers at all times the premises are trading on request for the purpose of ensuring compliance with the conditions of this Licence.
30. Adult entertainment shall be provided in the form of table dancing, pole dancing and like entertainment. Only persons over the age of 18 years shall be admitted to the premises whilst adult entertainment is taking place and a notice to this effect clearly displayed at the entrance to the premises.
31. The Rules regarding customer behaviour will be implemented at all times that adult entertainment is taking place. A copy of these Rules is deposited with the Licensing Authority and Police and will not be altered without their consent.
32. The content of the Rules will be made known to customers prior to their admission to the dancing area, and shall also be displayed in the premises and on tables.
33. The dancers' Code of Conduct shall be implemented at all times that adult entertainment is taking place at the premises. The Code is deposited with the Council and Police and shall not be altered without their consent.
34. Adult entertainment shall only take place in approved designated areas, which will not be capable of being seen from outside the premises.
35. The Premises Licence holder shall not display either on or outside of the premises (in such a way that the material is visible to the general public) photographs or other images which indicate and suggest that striptease or similar dancing takes place on the premises.
36. Regular safety checks and risk assessments shall be conducted at the premises in accordance with current Health and Safety and Fire Safety legislation and records shall be available for inspection.
37. The electrical installation shall comply with the rules and regulations for the time being in force, including Regulations for the Electrical Equipment of Buildings issued by

the Institution of Electrical Engineers and the Electricity at Work Regulations 1989 or any regulation replacing or amending the same.

38. The Premises Licence holder shall ensure that a Residual Current Device protection sensitive to tripping currents of not more than 30 milliamperes is fitted to all socket outlets used by entertainers for plugging in electrical equipment.

39. For events where it is anticipated that more than 100 persons shall be in attendance the Premises Licence holder shall ensure that adequate first aid provision is available at all times that licensable activity is taking place and shall have a suitably qualified first-aider on the premises during that period.

40. Special effects involving naked flame, explosives including fireworks, firearms, confetti canons, foam, strobe or laser lighting shall not be used without the prior consent of the Licensing Authority.

41. Except for access and egress all doors and windows shall be kept closed during periods when regulated amplified entertainment is being played.

42. Music shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity.

43. If the setting of a noise limiter is not effective following justified noise complaints a report must be submitted and approved to an authorised officer of the Pollution Control Team that shows that the partition between the licensed premises and any adjoining residential property is such that the playing of live or recorded music will not cause disturbance to the occupiers of the residential properties.

44. Details of the approved report must be implemented within a reasonable time period as agreed with the Licensing Authority.

45. No speakers for amplification of music shall be placed on the outside of the premises.

46. Notices shall be placed at the exits to the premises advising customers to leave the premises quietly.

47. Activities relating to the disposal and collection of refuse including bottles and glass shall only take place between 08.00 and 20.00 hours Mondays to Saturdays and not at all on Sundays or Bank Holidays.