

AGENDA ITEM NO. 4

BRISTOL CITY COUNCIL LICENSING COMMITTEE 23 JANUARY 2012

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 REPORT ON THE APPLICATION FOR A SEXUAL ENTERTAINMENT VENUE MADE BY REEDBED LTD IN RESPECT OF PREMISES TRADING AS CENTRAL CHAMBERS, 9-11 ST STEPHENS STREET, BRISTOL, BS1 1EE

Report of the Strategic Director of Neighbourhoods and City Development

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 Central Chambers, 9 -11 St Stephen's St., Bristol, BS1 1EE.

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 20 July 2011. The company has applied for a licence to provide relevant entertainment between 12.00 hours and 06.30 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, public area, genitals and anus.

Relevant entertainment to be mainly provided by way of:

- (a) Fully nude live stage shows
- (b) fully nude live striptease and pole dancing on stage
- (c) dancers will also be providing both topless and fully nude lap dances in a designated area.

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 code of conduct for customers and dancers are attached as Appendices D and E respectively.

10. Additional information which the applicant wishes the Council to take into account is as follows:

“We have been running Central Chambers as a lap dancing club for nearly ten years. Management are very experienced in running this type of venue and we have always worked very closely with the local authority and Police to make sure all terms of licensing are met. We also go beyond what is required of us to ensure we run a well managed venue.”

11. No application has been made to exclude any standard condition.

12. Application has been made to vary standard conditions C, F(c) and Q.
Condition C – Relevant entertainment shall not occur in private rooms or cubicles or other enclosed spaces.
The applicant’s statement in support of the request to vary this condition is attached as Appendix F.

Condition F(c) – No performer or employee may at any time (and whether or not performing),

- (i) sit or lie on the lap or any other part of customers,
- (ii) kiss, stroke, fondle, caress or embrace any customer
- (iii) engage in any other contact of a sexual nature with any customer

The applicant’s statement in support of the request to vary this condition is attached as Appendix G.

Condition Q. Controlling means of advertising and attracting custom.

The applicant’s statement in support of the request to vary this condition is attached as Appendix H.

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 20 July 2011 and a total of 62 objections were received prior to the deadline, summaries and details of which are attached at Appendix I 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, including student accommodation, hotel rooms and youth hostel facilities in the near vicinity.

c) There are other such venues in close proximity.

d) 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.

e) Venue is also 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.

f) Venue is directly opposite a government funded employment agency. Unemployed persons from all walks of life seeking assistance in finding employment or claiming benefits use this agency during its opening hours. It is not acceptable that jobseekers cannot avoid passing the entrance to the venue.

g) The venue is in a cumulative impact area which has been identified as having a high number of assaults and other related crime and disorder , public nuisance and risk to public safety.

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 affect 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 the need to promote equality is taken into consideration with regard to every aspect of its decision making, this will include the circumstances of each individual application, the findings of fact once the application has been considered, including the taking into account of any objections and 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 will 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

Central Chambers is located on St Stephens Street within the area known as the 'Old City', the former commercial hub of Bristol and now in the heart of Bristol's night time economy. This location 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 measure 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 performance at the premises would 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 relations 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 engage in lobbying of committee members. It is used to be thought that the legal position was that late objections could not be received and considered in this regime, but recent case law has made it clear that there is discretion to take late objections into account but late objectors do not have the rights enjoyed by those who have made their views known before the deadline who have a right to anonymity and a right to have their objections taken 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 right to anonymity and a 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.

Introduction.

(i) This is a report on Central Chambers 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.

(iii) 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 are only 4 logs linked to the club during this period none of which are linked to disorder or cause any concern.

(a) 11/7/2011. AS-20110711-0770.

Burglary reported at the club. Light and other metal objects were stolen. Crime 82694/11 refers.

(b) 30/9/2011. AS-20110930-0095 & 97.

Alarm activation at club. No police action required.

(c) 4/11/2011. AS-20111104-1334.

Visits to premises

Licensing check conducted by Police and Bristol City Council Enforcement Officers who form part of the Joint Enforcement Team

(JET). This found the following breaches or areas of concern.

1. Door staff working without displaying SIA badge.
2. Incident book was not bound.
3. No female door staff working.
4. No sign restricting entry to those ages 18+.

(iv) These issues were brought to the attention of the management. The club had only recently reopened and the management agreed to take action to correct the above.

During the check officers were tasked with looking at the operation of the premises and talking to the females employed as dancers. Below are excerpts from visit reports:

(a) They had recently re-opened after a lengthy closure, there were a few minor breaches but on the whole the females working in the club appeared content and happy.

(b) This venue gave a better impression than any of the others visited that evening. The dancers had a changing area downstairs, which was clean and tidy and all the females were happy to discuss what they did. All females took turns on the stage/ pole whereby it was optional to go topless. There was no indication that the females did more than dance and remove their clothing. The females I spoke to were either local or from Poland.

(c) The ground floor entertaining area consisted of a large ceiling to floor pole with a large stage area with private dancing room to the side. This was for the females to perform a private dance and the room could be used as a large area or be sectioned off.

(d) There were lots of seating areas for customers to sit and a large bar area which gave an overall relaxed atmosphere.

(v) Future Police Action.

It is planned to carry out a further licensing checks in the New Year.

(vi) References to exempt information supplied separately

20. In addition the Police have provided some observations that they consider ought not to be in the public domain. Your officers have considered the information and agree that 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 applies to the material so it 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 the 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 the applicants responses are attached as Appendix K. Members will note that there is no evidence of a conviction, a caution, discrimination cases, pending allegations or other matters having been disclosed at the time the application was made and your officers have no reason to doubt the veracity of the information then provided. Observations made more recently by the Chief Constable and Licensing Officers that are included in the exempt report referred to in paragraph 19 above, may be considered pertinent under the discretionary grounds 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 of 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 for this locality was reviewed and it was resolved that the appropriate number of sex establishments , or 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 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 what is sought in this particular type of relevant entertainment 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

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

40. Members are aware that transitional and saving provisions apply to the first round of applications for a sexual entertainment 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.

41. 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 the Council can only consider the application from the applicant at this meeting; It is prohibited from deciding at this stage whether or not the application should be granted or refused.

42. 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

judgement 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 the 30 January 2012, whether or not to exercise its discretion to refuse the application.

43. Where (as in Bristol) the Council 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 standard applicable 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 applicants request that certain standard conditions ought to be excluded and / or varied in respect of any licence granted to it provides and opportunity for the committee to explore any issues arising out of those requests with the applicant at this stage.

44. Subject to acting within the statutory constraints referred to in this report and compliance with the Councils 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 of 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.

45. The Committee has indicated it will consider if 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.

46. 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 applicants. 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 – Code of Conduct for customers

Appendix E – Code of conduct for performers

Appendix F – Statement in support of request to vary standard condition C

Appendix G – Statement in support of request to vary standard condition F (c)

Appendix H - Statement in support of request to vary standard condition Q

Appendix I - Details of public objections

Appendix J - Summary of responses to questions to applicants

Appendix K – 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

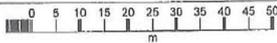
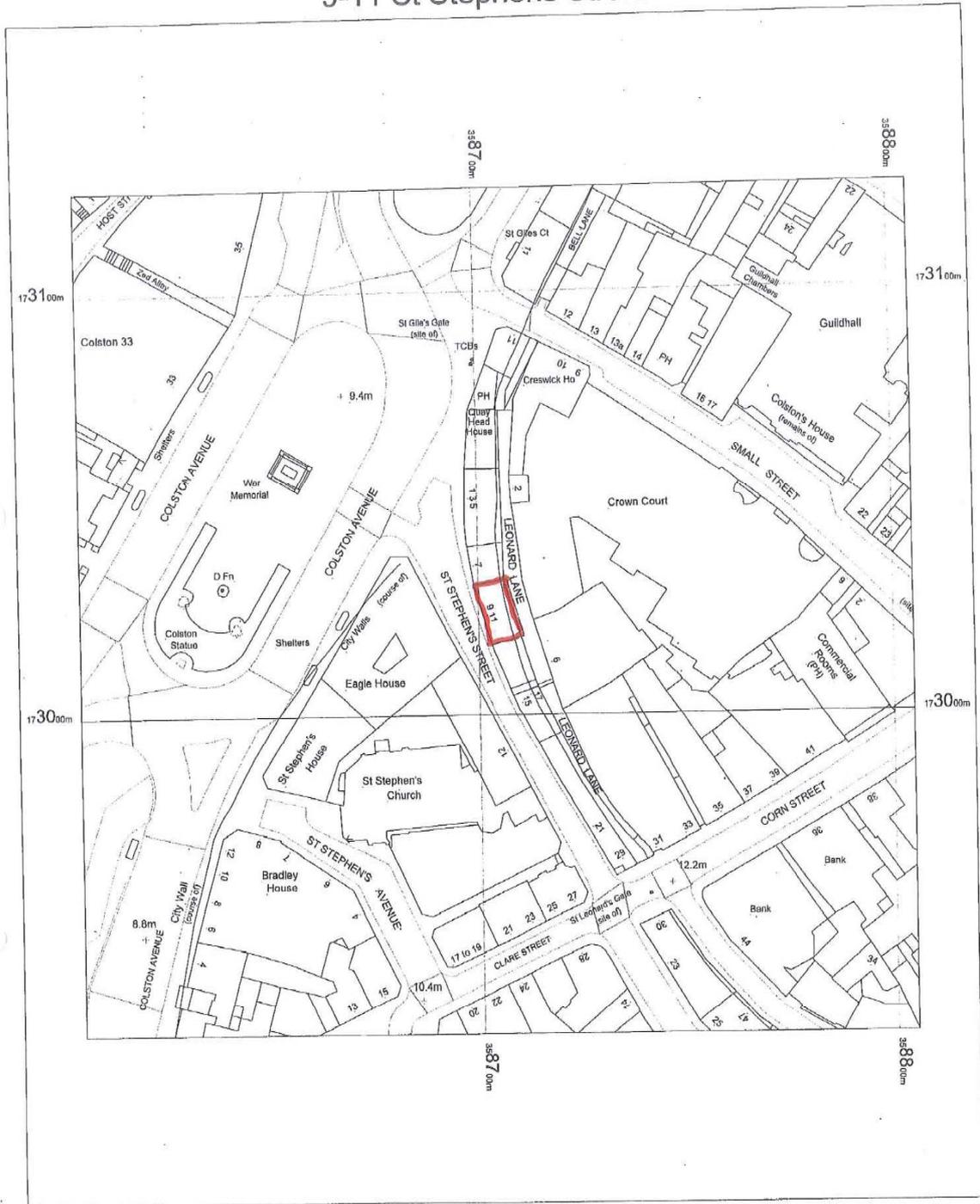
Contact Officer: Myra McSherry, Licensing Administration Manager

Neighbourhoods

Telephone: 01179142500

Location map of premises

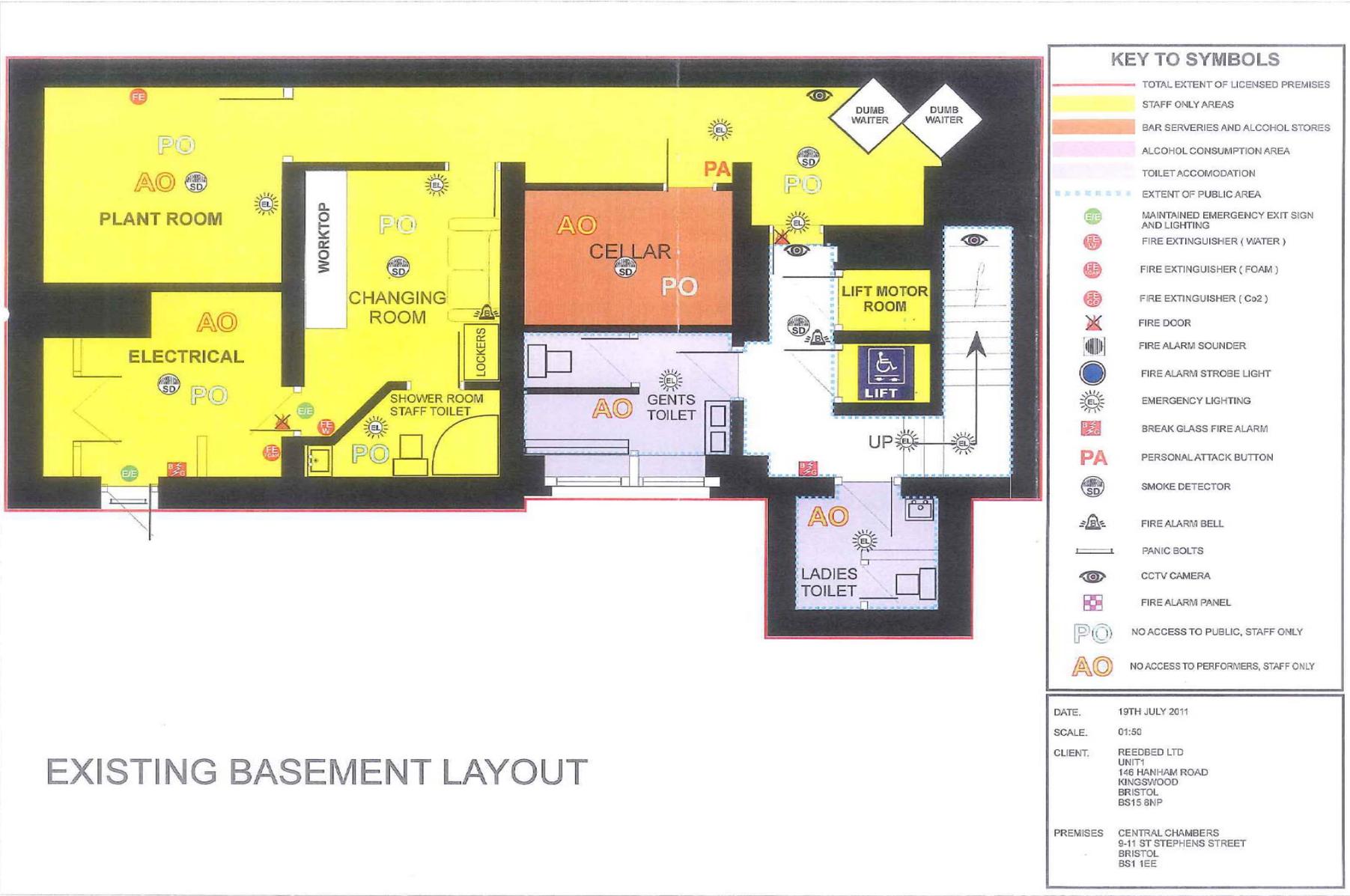
9-11 St Stephens Street

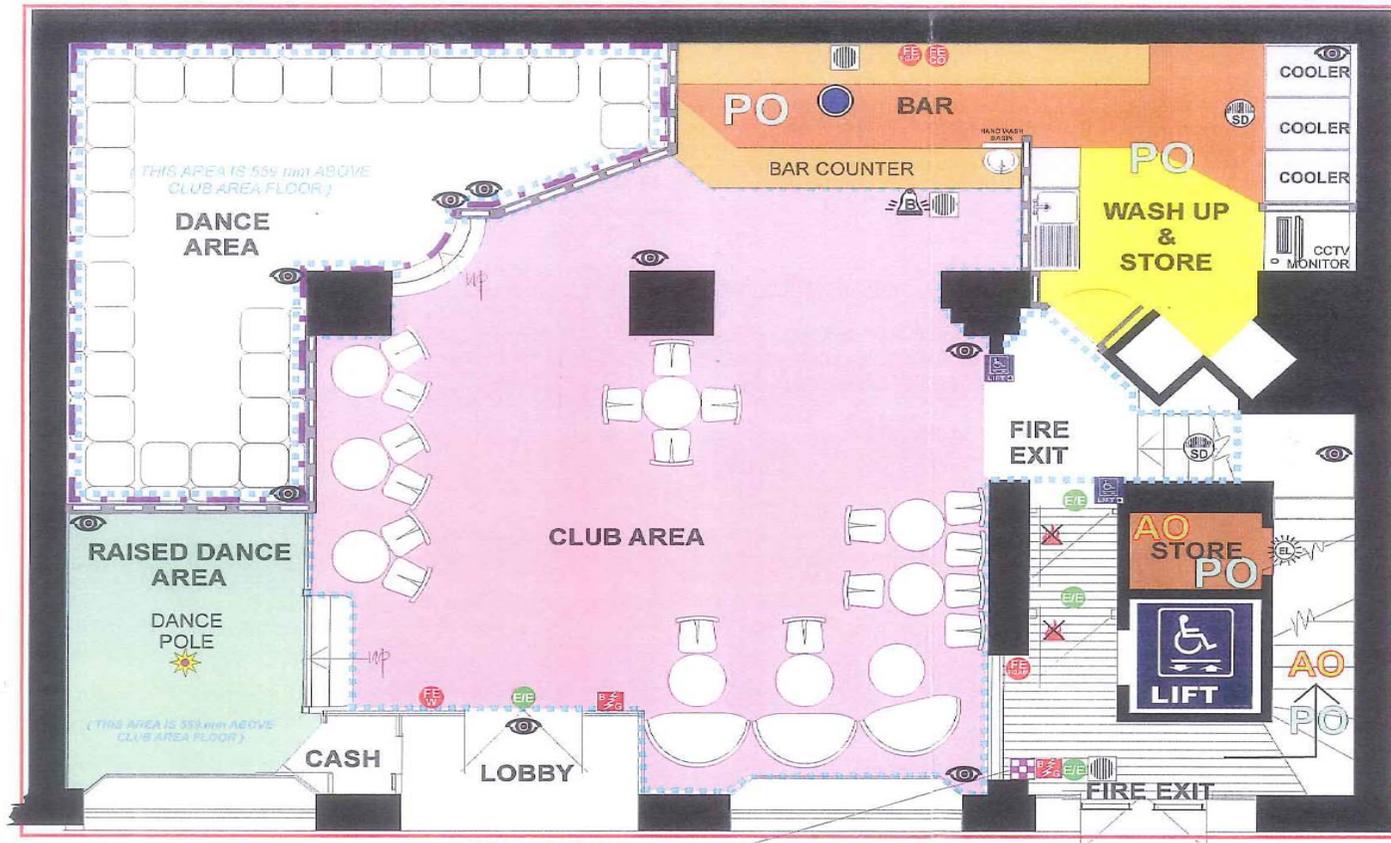


OS Mastermap
 06 July 2011, ID: BW1-00081410
 maps.blackwell.co.uk
 1:1250 scale print at A4, Centre: 358705 E, 173024 N
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BLACKWELL'S
 www.blackwellmapping.co.uk
 TEL: 0117 926 2322
 maps.bristol@blackwell.co.uk





ENTRANCE
 FIRE ALARM PANEL CONFORMS TO BS:5839 P14 1988

EXISTING EMERGENCY EXIT

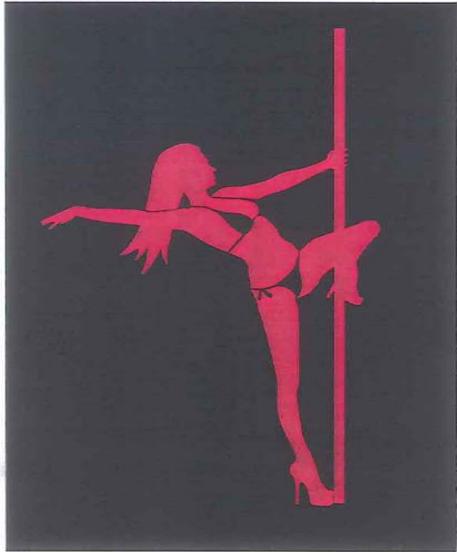
DATE: 19TH JULY 2011
 SCALE: 01:50
 CLIENT: REEDBED LTD
 UNIT 1
 146 HANHAM ROAD
 KINGSWOOD
 BRISTOL
 BS15 8NP
 PREMISES: CENTRAL CHAMBERS
 9-11 ST STEPHENS STREET
 BRISTOL
 BS1 1EE

KEY TO SYMBOLS

- TOTAL EXTENT OF LICENSED PREMISES
- WASH UP & STORE STAFF ONLY AREAS
- BAR SERVERIES AND ALCOHOL STORES STAFF ONLY AREA
- ALCOHOL CONSUMPTION AREA
- POLE DANCING STAGE
- EXTENT OF PUBLIC AREA
- DANCE AREA
- EIE MAINTAINED EMERGENCY EXIT SIGN AND LIGHTING
- F1 FIRE EXTINGUISHER (WATER)
- F2 FIRE EXTINGUISHER (FOAM)
- F3 FIRE EXTINGUISHER (Co2)
- X FIRE DOOR
- S FIRE ALARM SOUNDER
- S FIRE ALARM STROBE LIGHT
- E EMERGENCY LIGHTING
- B BREAK GLASS FIRE ALARM
- PA PERSONAL ATTACK BUTTON
- SD SMOKE DETECTOR
- A FIRE ALARM BELL
- P PANIC BOLTS
- C CCTV CAMERA
- P FIRE ALARM PANEL
- L DIRECTIONS TO LIFT FOR DISABLED
- * POLE DANCING POLE
- PO NO ACCESS TO PUBLIC, STAFF ONLY
- AO NO ACCESS TO PERFORMERS, STAFF ONLY

EXISTING GROUND FLOOR LAYOUT

CENTRAL CHAMBERS



Window display →
Silhouette of pole dancer is our company logo.



LAP DANCING CLUB
& LATE NIGHT BAR

Code of conduct for customers

Code Of Conduct for Customers

- Please remember we operate a challenge 21 policy. If you are lucky enough to look under 21 years of age you will need photographic ID to prove you are over 18 years old. Please be aware we only accept a UK driving licence, Passport or Prove it card.
- All customers will be required to pay a fixed entrance fee on the door on arrival. Prices are clearly displayed at the entrance to the venue. Entrance fees are £5pp all night Sun – Thur and £5pp before mid night and £10 after Friday and Saturday evenings.
- Customers must adhere to the dress code which is smart/casual. No sportswear but trainers are permitted as long as they are clean/smart trainers. No workwear permitted.
- No hats are to be worn inside the club. Customers will be asked to remove hats before entering the club and asked to refrain from wearing them once inside.
- Mobile phones must not be used inside the club. Doorstaff will ask customers to switch their phones off when entering the club and only use them outside the venue.
- No photos or videos are to be taken inside the club without prior permission from management.
- There is strictly no propositioning the dancers. Customers must not divulge telephone numbers, residential addresses, email addresses or other information that may facilitate the further contact between customer and dancer.
- Central Chambers operates a strict no touching rule. Any customers that touchers, grabs, strokes, fondles or embraces any dancer will be removed from the venue.
- Please be aware that random searches may be carried out by security staff or management.
- Anybody who arrives at the club drunk or behaving in an inconsiderate manner will be refused entry.
- Management reserve the right to remain selective and refuse entry.
- The club operates a zero tolerance drugs policy. Anyone found to be taking, supplying, having drugs on them or believed to be under the influence of drugs will be asked to leave and reported to the police.
- Please be aware that CCTV cameras are installed throughout the club and dance areas for the protection of both staff and customers.
- Private dances include topless/fully nude dancers. A standard charge of £20 fully nude or £10 topless per person is for one dance and is paid directly to the dancer. One dance is only song approx 4 minutes.
- Customers must remain seated and fully clothed during dances. The club operates a strict no touching policy.
- Customers must leave the dance area immediately after the private dance has finished.
- Management reserve the right to stop a dance at any time.

Code of conduct for performers

CENTRAL CHAMBERS

9-11 ST STEPHENS STREET
BRISTOL BS1 1EE

Code Of Conduct For Dancers

- All dancers must have a valid form of photo ID that management shall take a copy of to keep with all dancer contracts to prove their identity and age. All non UK residents will need to produce documentation that proves their eligibility to work in the UK. Only a UK driving licence or passport will be classed as suitable photographic ID. A copy of ID and documents shall be kept up to 12 months after the last provision of entertainment by the dancer and produced to an authorised officer of the council or a constable upon request.
- No person shall be employed or shall perform at the premises who has unspent convictions for any relevant offence.
- Dancers will be required to pay a fee to club each evening that they work. This fee is variable as some nights the club is so quiet we do not charge the dancers anything to work. Management will decide how busy the evening has been and then decide how much the evening fees shall be. Fees are negotiable depending on different times of the year, what days the dancer wants to work and how often. Each contract for individual dancers will have different agreed terms and is likely that no two contracts will have the same agreed terms. Depending on how experienced the dancer is and if we believe they are an asset to the club will determine the fee structure. Every dancer will have a cap on fees so that there is a maximum fee charged and Central Chambers will not charge above this amount but this maximum fee will be vary from dancer to dancer. Until terms are agreed with individual dancers we have no set fees.
- Dancers will receive payment from customers for each dance that they perform. Dance prices are set and can not be altered by the dancer at any time. Anyone found to be charging more or less for dances will receive disciplinary action. Dances are either topless or fully nude must be a least 4 minutes long. Topless dances are £10 and a full nude dance is £20.
- Dancers will be permitted to sign in at the start of every shift. Dancers must inform management when they leave the premises so that management can sign them out. Failure to do so will result in disciplinary action.
- All dancers will be required to read the standard conditions attached to our licence and sign that they have read them and understood them. Any dancer that does not adhere to these licence conditions will be instantly dismissed.
- When requested, you may be required to do a 'shop window' or pole dance on the stage area. It's the performer's choice to dance topless, fully nude or fully clothed. Dancers must do a minimum of eight of these shows an evening. Failure to comply with this will result in disciplinary action being taken.
- Good conduct must be maintained at all times, and all steps must be taken to avoid injury to persons or damage to property. All relevant health and safety procedures must be followed and Reedbed Ltd has a health and safety statement of policy that must be read.
- Audience participation is strictly prohibited and customers must remain clothed at all times except during stage shows.
- Customers must adhere to the clubs strict no touching policy. Dancers are required to report all incidents as soon as reasonable practical. All customers who have broken this policy will removed from the club immediately. Dancers who do not report such incidents shall receive disciplinary action.
- Performance off stage is only permitted when customers are seated in the designated dance area.
- Dancers must take payment for all dances up front but must not be in a state of undress when receiving payment.

- o No sex acts shall take place or contact of a sexual nature which must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating the customer. Slight contact may be made during the lap dance but for a maximum of 10 seconds at a time. Slight contact means to lie or sit on the customers lap. Dancers are not permitted to fondle, caress or embrace any customer. Dancers are prohibited from kissing the customer during the performance. Only at the end of the dance when the dancer is fully clothed may she kiss the customer on the cheek as a friendly goodbye/thank you.
- o Husbands, boyfriends, wives and girlfriends are not permitted on the premises at any time, unless employed as Central Chambers staff, except with prior permission of the management.
- o When not performing, dancers must not enter the other licensed areas in a state of undress.
- o Dancers must not divulge telephone numbers, residential address, email address or other information that may facilitate further contact between customers and dancers or vice versa.
- o Dancers are not permitted to leave the premises with customers.
- o Dancers must only use the designated toilets and changing area provided. They are not permitted to share toilets or washing facilities with members of the public.
- o Dancers must circulate among customers on an even basis, and should not sit around together, even if the club is quiet.
- o Dancers must notify either one of the licensee's or a member of the door staff when they leave the premises. – This is for your own safety and will be required to sign out if leaving before closing time.
- o Any dancer that appears to be drunk or under the influence of drugs will be asked to leave the premises immediately. The company operates a zero tolerance to drugs and any dancer found to be using drugs will be instantly dismissed and reported to the police.
- o Random search policies are carried out by management and security.
- o **All dancers are self employed dancers and are responsible for their own PAYE and Tax.**

Please be aware that the majority of these restrictions are laid down as part of the conditions of the licence and are therefore not negotiable in any way, shape or form. If any dancer is unsure of any of these procedures or licence conditions, please speak to a member of management.

I have read and understand the above conditions and sign below to accept these conditions

Print Name _____
 Date of Birth _____
 Tel. Number _____
 Address _____

Signature _____

Date Commenced _____

Date Contract Ended _____

Statement to support variation of standard condition C – “ relevant entertainment shall not occur in private rooms, cubicles or other enclosed areas.. ”

The condition states that an area is private unless it is completely open on one side so that activities within may be supervised from the exterior. Due to the layout of our grade 2 listed building it is not possible to move the dance area or the walls to enable to have one side of the dance area completely open. The only way we could have one side open would be the front side of the dance area as it is the only part that is not a wall. This would mean that all customers from the public bar area would be able to see the full nude dances taking place. This is not only unfair to my dancers as this would force them to perform fully nude in front of a non paying audience but also unfair to the customers who wish not to see full frontal nudity when enjoying a quiet drink with friends. I would also not be able to enforce keeping other customers out of this area while dances are taking place if it was open making it unsafe for my dancers.

The dance area is a large raised area to the right of the bar area. The dance area is segregated from the rest of the public areas by walls and curtains. The dance area is an open communal space which has fixed seating around the perimeter of the dance area. We would normally accommodate around 10-15 customers having a lap dance. 15 customers is the maximum we can have in the dance area at any one time.

I would like to suggest that we keep our current dance area as this has worked well for us for 10 years now. The dance area is a separate communal area where the dancers provide lap dances. The area is private from the public areas which gives the dancers and customers some privacy but the actual dance area is open so that all dances can be viewed by management or security easily. I feel that this is much safer and a more realistic set up for management, dancers and customers. With regards to supervision of the dance area we have full infrared CCTV which can be watched on monitors behind the bar and the cameras cover all the dance areas with no blind spots. Management and security will also carry out regular checks of the dance area. I feel that this is adequate as this has worked very well over the past 10 years helping us to enforce regulations set on our licence. As an additional measure we will also install additional panic alarms in the dance area for dancers. Management and security will check the dance area manually every 15 minutes and management will monitor the dance area from CCTV monitors behind the bar when manual checks are not being carried out.

Statement to support variation of standard condition F – “controlling the contact between performers and customers.”

The condition states at no time during the performance may there be any contact between a performer and customer. No performer or employee may at any time sit or lie on the lap or any other part of any customer. Kiss, stroke, fondle, caress or embrace any customer.

It is pretty impossible to provide a lap dance with out the performer being able to perform the dance in the lap of a customer. By performing a dance in the lap of a customer this will involve the dancer making contact with the customer by sitting/lying on the customers lap. I feel dancers need to be able to make contact with the customer but I would regulate this by only allowing the dancers to make contact for 10 seconds at a time so they are not sat or led on the lap of the customer for a whole dance. I would also help protect the dancers by enforcing additional rules that all customers must remain seated and fully clothed at all times. There is strict no touching policy and any customer who breaks this rule will be removed from the dance area and the club. The dancers safely and level of contact made will be regulated by regular checks from management and security and management will monitor dances by CCTV images.

I would also like a clause in the no kissing condition. It is a mans natural reaction and many women's natural reaction to kiss the opposite sex on the cheek as a goodbye/thank you gesture. I would like the no performer may at any time stroke, fondle, caress, embrace or kiss a customer at any time to be re written to read no performer may at any time stroke, fondle, caress, embrace or kiss a customer with the exception of a kiss on the cheek as a goodbye/thank you gesture at the end of the dance when the performer is fully clothed. There will be no kissing of any kind during the performance.

Statement to support variation of standard condition Q – “ the availability of relevant entertainment shall not be marketed or advertised in any of the following ways: by way of leafleting in the locality.”

Leafletting in the locality is a very important aspect to our business. Lap dancing clubs are already very limited as to where we can advertise our business. I would like to be able to leaflet in the locality but have some regulations on doing so. I would like to suggest that we are allowed to leaflet the locality but we will only do so after 9pm to ensure that no children receive or come across any of our leaflets. Leaflet staff will receive training so that they know they only approach customers 18 years and above and that they do not leaflet intoxicated people. They will also wear appropriate clothing that is not too revealing and pick up any flyers dropped on the floor to reduce littering. Leaflet staff will be prohibited from leaving leaflets on cash points, cars and other public places. The leaflets will be tasteful and have no pornographic pictures.

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, 21, 22, 40, 41, 62.	Upper Cranbrook Road Lower Redland Rd Wessex House Rose Rd Rose Rd Fairfield Rd 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 Berlington Court Court Road High Kingsdown Perry St Muller Rd Lena St Orlebar Gardens	<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> <p>Objection 19 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>
23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39,	Outside of Bristol Glasgow Glasgow Swansea London Durham Cardiff Lichfield London Bromsgrove Bath London East Coker Liverpool Liverpool Peterborough Coventry Northampton	

Ref.	Approximate location of objector	Summary of Objection
42.	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.
43.	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.
44.	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 such groups.
45.	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.
46	P O Box	Premises are visible from many parts of Broad Quay, outside are seven busy bus stops that are used by school

Ref.	Approximate location of objector	Summary of Objection
		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.
47.	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.
48. 49.	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.
50.	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.
51.	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.
52. 53. 54.	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.
52A	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

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		<p>are threatened by patrons who are generally intoxicated and arguably sexual excitement.</p> <p>The venue targets stag parties which are renowned for their negative impact in relation to crime and disorder.</p>
55.	Saint Stephen's St	<p>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 transport stops outside, there are large numbers of residential properties, close to theatres, youth premises and general leisure attractions.</p>
56.	Ashley ward	<p>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.</p>
57.	Leamington Spa	<p>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.</p>
58.	Frampton Cotterell	<p>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.</p>
59.	Lytham St Annes	<p>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</p>
60.	Melbourne Rd	<p>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 and residential flats including student accommodation nearby. It will have an adverse impact on young people and objectifies women. Workers are at risk of harassment , and sexually charged men leaving these premises pose a risk to other women. It is inconsistent with the public sector duty to promote gender equality</p>
61.	Choppington Northumberland	<p>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.</p>

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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	No
1.8 A) Does the applicant operate any other sex establishment	No
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 - no
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 and corporate body - no
11. Has the responder ever had a personal licence refused, suspended or revoked under the Licensing Act 2003	Three individual - no
12. [9] Has the responder ever been convicted of a criminal offence, whether in the UK or elsewhere.	Three individuals and corporate body - no
13. [10] Has the responder accepted a simple or conditional caution in respect of any criminal offence.	Three individuals and corporate body - no
14. [11] To the responders knowledge are they currently the subject of any criminal investigation.	Three individuals and corporate body - no
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 and corporate body - no
16. [13] Are the responders facing any allegations of the type referred to in 15 above.	Three individuals and corporate body - no
17. Have the responder ever been disqualified from acting as a company director	Three individuals and corporate body - no

[14] Has the company ever been declared insolvent or entered into administration.]	[Corporate body – no]
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Conditions attached to Licensing Act 2003 premises licence.

Annex 2

1 Further Details -

Recorded music: limited to indoors only. Music will be provided by a standard sound system. There will be no karaoke or DJ's.

Performances of dance: limited to indoors only. Performance of dance shall include pole dancing and fully nude lap dancing. Striptease dancers shall roam the premises but will not be in a state of undress in the main club areas. Pole dancing and lap dancing will only be performed in designated areas.

Similar - live/recorded music or dance: limited to indoors only. Striptease dancers will be performing pole dancing and stage shows in the main area of the club. Fully nude lap dancing shall take place in a designated area. Fully nude lap dancing shall be supervised by a member of the management team with a current personal licence and management shall regulate all lap dances.

Provision of facilities for dancing – limited to indoors only. A dance area has been provided for the performance of fully nude lap dances. A pole and stage area is also provided for striptease dancers to perform pole dancing and stage shows.

Similar facilities for music or dance: limited to indoors only. Striptease dancers shall be providing fully nude lap dancing. Only dancers that have been authorised by management shall be able to offer entertainment for a fee agreed by management. Striptease dancers shall provide a full nude lap dance for approx 4 minutes for a fee paid directly to the performer. All performers are responsible for their own PAYE and tax.

2 A personal licence holder shall be on the premises at all times that licensable activity is taking place.

3 The premises licence holder shall operate a zero tolerance drugs policy.

4 The premises licence holder shall operate a 'wind down' policy prior to closing.

Annex 3

1 Occupancy. Overcrowding shall not be permitted in any part of the premises. The occupancy shall be restricted to 150 persons in the premises (subject to assessment by the Fire Service). The occupancy figure includes staff, performers and public. The premises licence holder shall ensure that there are appropriate management controls to ensure that the occupancy figure is not exceeded at any time.

2 Door Controls. There shall be no entry or re-entry to the premises after 0400 hours. Appropriate signage shall be clearly displayed at the exit from the premises advising patrons of the entry, re-entry condition and that this prohibition also applies to people wishing to leave the premises to smoke.

3 Door Supervision. SIA registered door supervisors must be used to vet customers and maintain public order.

4 The premises licence holder shall ensure that any person responsible for the management of the premises, can identify by name, those persons employed as door supervisors at the premises to a Police Officer or Bristol City Council Licensing Officer upon request.

- 5 The premises licence holder shall ensure that where door supervisors are employed at the premises, they enter in a bound register kept for that purpose their full name, badge number (including expiry date), the time they commenced their duty and the time they completed their duty, immediately after doing so. This register shall be kept at the premises at all times and made available to a Police or Licensing Officer immediately on requirement. Particulars of duties covering a minimum period of 31 days prior to the requirement shall be available.
- 6 The premises licence holder shall ensure that a register of all door supervisors employed at the premises is maintained and updated, such a register to include the following details of those personnel and is to be kept on the premises at all times:
Full name, date of birth, full address, contact telephone number, employing agency (if appropriate).

The register shall be made available to an authorised officer of the Council or Police upon request.
- 7 From Sunday (other than those Sundays preceding Bank Holidays) to Thursday inclusive, a minimum of one door supervisor shall be on duty from 2100 hours until the premises closes. If the premises are to remain open past 0100 hours Sunday to Thursday an additional door supervisor shall commence duty at 2300 hours and will remain on duty until the premises closes.

On Fridays and Saturdays there will be a minimum of three door supervisors on duty from 2100 hours until the premises closes.

On any Sunday prior to a Bank Holiday Monday a minimum of three door supervisors will be on duty from 2100 hours until the premises closes.
- 8 All door supervisors shall be capable of communicating instantly with one another by way of radio or other simultaneous system of communication.
- 9 The premises licence holder shall ensure that all door supervisors employed at the premises wear a current identification badge, issued by the Security Industry Authority, in a conspicuous position to the front of their upper body.
- 10 All door supervisors shall wear high visibility, distinctive, clothing or insignia (such as a jacket or waistcoat) so that they are easily identifiable in their role.
- 11 Security. The premises licence holder shall ensure that signage is prominently displayed in the premises advising all customers not to leave any belongings unattended.
- 12 The premises licence holder shall document and implement a search policy at the premises, and will produce the policy when so requested by a Police Officer or City Council Licensing Officer.
- 13 Drugs and weapons seized will 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 the designated premises supervisor or in their absence another responsible person. A record shall be made of the seizure, the time, date and by whom, and to whom the items were handed to in a bound book specifically kept for that purpose. Such a book to be produced to an authorised Officer of the Council or the Police upon request. The premises licence holder

- shall make suitable arrangements with the Police for the collection of any seized items.
- 14 The premises licence holder shall ensure that a clearly visible notice is displayed in the public area advising those attending that the Police will be informed if anyone is found in possession of controlled substances or weapons.
 - 15 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, and by whom, is to form part of the entry. The incident report register will be held at the premises at all times, and contain all incidents of at least the preceding 12 months. This register shall be produced to an authorised Officer of the Council or the Police immediately upon request.
 - 16 CCTV shall be operative at the premises of a standard satisfactory to the Police and Licensing Authority, and shall monitor all areas used by patrons, including the outside and designated smoking areas. All CCTV equipment shall be maintained in good working order and shall continually record during licensable hours and for a minimum period of two hours afterwards.
 - 17 In the event of any extension or replacement of the CCTV equipment, any replacement or additional CCTV equipment shall be installed to the satisfaction of the Police and Licensing Authority.
 - 18 Tapes, or other recording media relating to CCTV equipment (including any mobile devices) shall be retained for a minimum of 31 days and made available to an authorised officer of the Police or Licensing Authority immediately upon request.
 - 19 The correct time and date shall be generated onto both the recording and real time image.
 - 20 If the CCTV equipment breaks down (including mobile units) the premises licence holder shall ensure that the designated premises supervisor, or in their absence other responsible person, verbally inform the Council's Licensing Office and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the date, time and by what means this notification was achieved and to whom the information was passed. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Office and the Police shall be informed when faults are rectified, and the fact recorded in the incident report register.
 - 21 A member of staff technically able to operate the CCTV / mobile camera system shall be available during all hours when the premises are open and shall comply with any reasonable request of an authorised officer of the Council or Police to view any CCTV / mobile footage that has been recorded. The premises licence holder shall ensure that a member of staff shall be technically able to reproduce CCTV / mobile images into removable format and that such removable format shall be produced within twenty four hours following any request from an authorised officer of the Council or the Police.
 - 22 Signage shall be clearly displayed to the effect that Closed Circuit Television equipment is in operation to monitor security and customer safety.

- 23 Alcohol and other beverages / Children. No drinks promotions shall be allowed which encourage inappropriate, irresponsible or excessive consumption of alcohol.
- 24 The premises licence holder shall ensure that all drinking glasses used within the premises are of polycarbonate type or toughened or safety glass to the appropriate safety standard, in that they shall not produce sharp shards when broken.
- 25 The premises licence holder shall ensure that drinking water is available free of charge at all times that any licensable activity is taking place. Notices publicising the availability of free drinking water shall be clearly displayed in areas accessible by the public.
- 26 A recognized proof of age scheme such as `Challenge 21' or similar shall be adopted and implemented. Signage shall be displayed in prominent positions advertising the scheme that has been adopted and its method of implementation.
- 27 No persons under the age of 18 years shall be permitted to enter or remain on the premises.
- 29 Training. The premises licence holder shall ensure that all members of staff working at the premises receive appropriate training commensurate with their duties and that staff are familiar with all means of ingress and egress and the appropriate procedures in case of any emergencies that require an immediate evacuation of the premises. A record of all training including reviews and refresher training shall be documented and shall be available upon request by an Officer of the Police, Fire or Licensing Authority.
- 30 Public Safety. All means of exit from the building shall be kept clear of any obstruction when the premises are open to the public.
- 31 Management. A documented risk assessment of promotional or one-off events shall be conducted by the management of the venue and such risk assessment shall be available upon request by an authorised officer of the Council or the Police. Promotional or one-off events shall be notified to the Licensing Authority and the Police at least one month prior to the proposed event.
- 32 The premises licence holder shall ensure that they or a nominated representative take part in any locally operating licensing forum or any such relevant scheme.
- 33 The premises licence holder shall ensure that management representatives attend any management meeting requested by the Police or Licensing Authority to discuss any matters relating to the premises considered relevant in furtherance of the licensing objectives.
- 34 The premises licence holder or his/her representative shall, at all times, comply with any operational requirement of the Police or City Council to increase public safety, in particular harm caused by substance abuse.
- 35 Noise. Except for access and egress all doors and windows shall be kept closed when licensable activity is taking place.
- 36 The designated premises supervisor, duty manager, or other competent person shall carry out observations in the vicinity of the nearest noise sensitive properties,

on at least one hourly intervals from 23.00 hours, whilst licensable activity is being held in order to establish whether there is a noise breakout from the premises.

- a) A record of such observations shall be kept in a bound book for that purpose, such a book to be completed immediately after the observations detailing the time of the observation, the location of the observation, the duration and the result of the observation, and any action taken and the persons completing the observation.
 - b) Such a book to be made available at all times upon request to a Police Officer or an Officer of the Local Authority, and shall contain details of the observations of at least the preceding 31 days.
 - c) Where necessary, steps shall be taken to minimise the extent of noise breakout from the premises to ensure that all local residents are not disturbed.
- 37 Monitoring. Management representatives and/or Door Supervisors shall monitor the outdoor areas at all times when licensable activity is taking place, including the smoking area, to prevent anti-social behaviour, obstruction, and to remove any accumulated litter.
- 39 The premises licence holder shall ensure that designated glass/waste collectors are on duty at the premises from 22.00 hours on each trading day until the premises closes to ensure that any empty drinking containers and bottles are removed as soon as practicable from the public areas.
- 40 No bottles or glasses shall be removed from the premises.
- 41 Plans. Performances which include full nudity shall only take place in approved designated areas as defined on the current premises plan, submitted on 17th September 2009.
- 42 A copy of the current premises plan shall be kept at the premises at all times and made available for inspection upon request of an authorised officer of the Council or Police.
- 43 Performers/dancers. Each area shall be supervised and shall display signs advising customers of the rules and conditions of the licence.
- 44 Performers/dancers shall be aged 18 years or over.
- 45 A price list shall be displayed in a prominent position giving the price and time allowed for the dance routine.
- 46 Performers/dancers not performing shall not remain in the public area in a state of nudity.
- 47 Any person on the premises who can be observed from outside the premises must be properly and decently dressed.
- 48 There shall be no physical contact between customers and performers/dancers whilst performers/dancers are performing, except for the placing of tokens in a garter or into the hands of a dancer at the beginning or end of a performance.
- 49 Customers shall remain seated whilst waiting a performance and shall not participate in the entertainment.

- 50 House rules shall be displayed in the premises and on tables regarding the conduct of performers/dancers, staff and customers.
- 51 Striptease or adult types of entertainment shall only take place in the approved designated area.
- 52 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.
- 53 There shall be no physical contact between performers/dancers whilst entertainment is taking place.
- 54 The premises licence holder shall not encourage or permit customers to throw money at or otherwise give gratuities to the performers/dancers except for the placing of tokens in a garter or into the hands of a dancer at the beginning or end of a performance.
- 55 No sex acts shall take place.
- 56 Performers/dancers shall not perform any sexually explicit or lewd act.
- 57 The area proposed for striptease shall be in a position where the performance cannot be seen from the street.
- 59 Performers/dancers must dress immediately at the conclusion of all performances.
- 60 Should a customer touch or attempt to touch a performer/dancer, the performer/dancer must withdraw and report the matter to the Manager.
- 61 Signs shall be displayed at the entrance to the premises advising 'Any person attempting to make physical contact with a dancer will be asked to leave'.
- 62 Health and Safety. No accumulation of combustible rubbish, dirt, surplus material or stored goods shall be permitted to remain in any part of the premises except in an appropriate place and of such quantities so as not to cause a nuisance, obstruction or other safety hazard.
- 63 With regard to areas used by members of the public, any alterations made to electrical installations, including the use of temporary wiring and distribution systems, shall comply with the relevant edition of the Regulations for the Electrical Equipment of Buildings issued by the Institution of Electrical Engineers (BS 7671 or any British Standard replacing or amending the same).
- 64 A Residual Current Device protection, sensitive to tripping currents of not more than 30 milli-amps, must be fitted to power circuits supplying sockets that may be used by entertainers/ members of the public.
- 65 With regard to premises with outdoor areas, a Residual Current Device protection sensitive to tripping currents of not more than 30 milli-amps, must be fitted to power circuits supplying outdoor sockets and also indoor sockets that might be expected, with the use of plug-in extension leads, to power outdoor circuits.
- 66 For events where it is anticipated that more than 100 persons will be in attendance or where an activity is taking place that is likely to give rise to personal

- injury (e.g. indoor sporting events/ use of special effects/ etc) the Licensee 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.
- 67 All open fireplaces or stoves must be protected when in use so as to prevent injury to vulnerable members of the public such as children, such as by the use of suitable fireguards.
- 68 As far as possible, all drinking glasses used within the premises must be of toughened or safety glass to the appropriate safety standard, in that they shall not produce sharp shards when broken. Items of glassware (such as glasses, bottles, etc) shall not be permitted in the outdoor area/ dancefloor area.
- 69 Arrangements must be in place to ensure that all parts of the premises that members of the public may use, whether this be regularly or only in case of emergency are suitably illuminated during times of use (this includes internal and external areas, for example such as corridors, lobbies, emergency exits, car parks, etc).
- 70 Adequate procedures must be implemented to ensure overcrowding (such as that which may cause injury through crushing) does not occur in any part of the premises.
- 71 Every wash hand basin provided for use by members of the public shall be provided with hot and cold (or suitably mixed) water, soap and towels (or a suitable alternative method of hand drying). Adequate arrangements must be in place to ensure this hot water supply does not pose any risks of scalding to members of the public (NB: this arrangement must not create secondary risks of legionnaires disease).
- 72 Adequate and separate sanitary conveniences shall be provided for persons of both sexes and shall be separately approached and adequately screened. The conveniences for each sex shall be indicated by a suitable notice. The sanitary conveniences in the premises shall at all times be kept in good order and repair, be properly and effectively cleansed, ventilated and disinfected, and supplied with water, paper and efficient flushing arrangements. During the time the premises are open to the public the sanitary conveniences and the approaches thereto shall be properly and efficiently lighted.
- 73 All special effects, equipment and mechanical installations shall be selected, arranged, stored and used so as to minimise any risk to the safety of the audience, performance and staff. This must be on the basis of a written risk assessment. `Special effects' include:
- dry ice machines, cryogenic fog machines, smoke machines and any other type of fog generators
 - pyrotechnics including fireworks
 - explosives and other highly flammable substances
 - real flame
 - firearms
 - motor vehicles
 - strobe lighting
 - lasers
 - foam
 - any other unusual or novel effect

Furthermore written permission must be sought from the licensing authority before using any of the above -

- a) for the first time and
 - b) after any significant changes have been made to the venue, usage of the effect or the equipment itself.
- 74 Where the premises is part of a shared property and members of the public may require access through areas not under the direct control of the licence holder (such as escape routes), the licence holder must ensure that he has liaised with the appropriate persons and has in place such arrangements as are necessary to ensure that the safety of members of the public is not compromised by the use of these shared areas and that none of the other licensing conditions may be breached.
- 75 Where the premises, or parts of the premises may be hired out by third parties or be used by events promoters, the licence holder must ensure that there are appropriate arrangements in place that will ensure that as far as is possible, the third party is aware of the licensing conditions and has in place their own arrangements which will ensure that the licensing objectives are not compromised.
- 76 The premises licence holder or the person appointed to be in charge of the premises when licensable activity entertainment is taking place, shall provide or have the unhampered use of a telephone on the premises for use in an emergency. In premises that do not have the benefit of a permanent phone installation then a mobile phone must be available.
- 77 All traffic routes used by members of the public (including entrance ways, gangways, lobbies, corridors, passages and exit routes and the tread of all steps and stairways) shall be of suitable construction, non-slippery, free from obstruction, and free from disrepair such that may cause someone to trip or fall or pose other safety hazards. In complying with this requirement, particular regard must be had for the type of person that may be using the area (e.g. elderly or very young, disabled, impaired through drink or drugs, etc) and the circumstances of this usage (e.g. low lighting levels, crowds, etc). In particular, where relevant:
- a) The nosings of the treads of steps shall be of a contrasting colour to the remainder of the tread. The nosings shall show up clearly under emergency lighting conditions.
 - b) Any changes in level shall be clearly visible to members of the public, such as by using contrasting colours or additional lighting.
- 78 Mats more than 1 cm thick shall be sunk to floor level unless of rubber with wide bevelled edges.
- 79 A continuous handrail shall be securely fixed on each side of all staircases, steps and landings at a height of not less than 840 mm nor more than 1 metre, measured vertically from the pitch line, except that only one such handrail need be provided to such staircases, flights of steps or landings which are less than 1 m wide. Where a staircase is 1.8 metres or more in width, a central handrail shall, in addition, be provided, properly supported and secured to the steps.
- 80 All parts of the licensed premises used by members of the public shall be effectively and suitably ventilated by a sufficient quantity of fresh or purified air. The air within the premises shall be maintained at a reasonable and comfortable

temperature immediately before and during their use by patrons. Guidance on this should be sought from Guide B 'Heating, Ventilation, Air conditioning and refrigeration' issued by the CIBSE (Chartered Institute for Building Services Engineers) or any document replacing the same.

- 81 Suitable procedures must be implemented to ensure the safety of vulnerable persons, such as disabled persons, on the premises whilst the licensable activity is taking place.
- 82 Potable drinking water must be made available free of charge at all times that any licensable activity is taking place. The drinking water shall be provided from the bar when such facilities are available. Notices publicising the availability of free drinking water shall be clearly displayed in areas accessible by the public.
- 83 The licence holder shall ensure that adequate measures are in place to remove litter or waste arising from their customers and to prevent such litter from accumulating in the immediate vicinity of their premises. In particular, where necessary the premises licence and club premises certificate holder shall ensure that adequate measures are in place to provide customers with sufficient receptacles for the depositing of waste materials such as food wrappings, drinks containers, smoking related litter, etc.
- 84 Pollution Control. All recorded music shall take place indoors.
- 85 Music shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity.
- 86 Except for access and egress all doors (and any windows) shall be kept closed when regulated entertainment is being held.
- 87 No speakers for amplification of music shall be placed on the outside of the premises at any time.
- 88 If officers of the council witness noise at a level that causes unreasonable disturbance to the occupants of any properties in the vicinity then a noise-limiting device shall be used in relation to all sound amplification equipment. The noise-limiting device shall be installed and set at a level approved by the Council through an authorised officer of the Pollution Control Team within one month of notification for its requirement from the Licensing Office.
 - a) The noise-limiting device shall be properly secured so that it cannot be tampered with.
 - b) The noise limiting device shall only be reset with the authority of the Council through an authorised officer of the Pollution Control Team
 - c) If deemed necessary, the noise-limiting device shall be reset to a level approved by the Council through an authorised officer of the Pollution Control Team within fourteen days of notification.
 - d) The manager, designated premises supervisor or other competent person shall carry out observations in the vicinity of the neighbouring residential properties on at least hourly intervals between 21:00 and the terminal hour whilst regulated entertainment is taking place in order to establish whether there is a noise breakout from the premises.
 - e) If the observation reveals noise breakout at a level likely to cause disturbance to the occupants of properties within the vicinity then the volume of the music shall be reduced to a level that does not cause disturbance.