

AGENDA ITEM NO. 7E

BRISTOL CITY COUNCIL

**MINUTES OF A MEETING OF THE
LICENSING COMMITTEE
HELD ON 30TH JANUARY 2012 AT 9.00 AM**

P Councillor Peter Abraham
A Councillor Fabian Breckels
A Councillor Barry Clark
A Councillor Steve Comer
A Councillor Fi Hance
P Councillor Chris Davies
P Councillor Brenda Hugill
A Councillor Jay Jethwa
A Councillor Bev Knott
A Councillor Tim Leaman
P Councillor Glenise Morgan
A Councillor David Morris
P Councillor Ron Stone
A Councillor Mike Wollacott
A Councillor Alex Woodman

LIC

51.1/12

APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from the following Councillors; Breckels, Clark, Comer, Hance, Jethwa, Knott, Leaman, Morris, Wollacott and Woodman.

There were no declarations of interest.

It was agreed that, having regard to the quasi judicial nature of the business on the agenda, those Committee Rules relating to the moving of motions and the rules of debate (CMR 10 and 11) be suspended for the duration of the meeting.

LIC

52.1/12

EXCLUSION OF PRESS AND PUBLIC

RESOLVED - that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the

grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act, as amended.

LIC

53.1/12 DELIBERATIONS - EXEMPT

Members discussed in exempt session Ground (a) - the suitability of the applicant - in relation to each of the four applications that had been considered in four previous meetings of the Committee.

LIC

54.1/12 RECOMMENDED - THE PUBLIC BE ADMITTED TO THE MEETING

LIC

55.1/12 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 - DETERMINATION OF FOUR APPLICATIONS FOR SEXUAL ENTERTAINMENT VENUE LICENCES

(Members having returned to public session the Chair explained that during the exempt session the Committee had considered whether ground (a) – suitability – applied in respect of each of the four applications. He now wished the committee to debate the other grounds and would begin by inviting discussion in relation to the grounds in paragraph 12(d) for each of the four applications)

The Committee considered a report of the Strategic Director, Neighbourhoods and City Development (agenda item no. 5) determining four applications for the grant of a Sexual Entertainment Venue Licence.

The Licensing Policy Advisor introduced the item, reminding Members of the grounds for refusal as detailed in the report. She referred to information that had arisen from the site visits that had taken place at Urban Tiger, Central Chambers, [Lounge @30](#) and Temptations.

Members noted that the Licensing Committee had made a set of standard conditions for Sexual Entertainment Venues (SEVs) at a meeting on 21st January 2011. The default position would be for all of those conditions to apply to any SEV licences granted by the council, although they could be excluded or varied in the committee's discretion and there were requests to do so before the Committee from some applicants. The following is a summary of points raised during the debate:

- The City Council aspired to introduce a new regime governing the provision of “relevant entertainment” in Bristol. It was accepted that there was demand for sexual entertainment but Members wished to ensure that any premises permitted to provide this did not offend the general public and were managed appropriately.
- There was concern about the use of the phrase ‘gentleman’s club’, suggesting that it would be helpful if operators could think of other descriptions. Two Members felt it indicated that women were not welcome and it could mislead people about the type of entertainment provided. It was suggested that ‘adult’ or ‘private’ club might be more appropriate.
- The importance of the standard condition preventing physical contact of any sort was emphasised. This would be a new regime in which clubs must be properly managed. Protection of performers, customers and the public was the priority.
- There was a vibrant mixed nightlife in Bristol and SEVs were part of the city’s ‘scene’, but it was important to remember that some people found “lap dancing” distasteful and offensive.
- Some applicants advised the Committee that they could advertise online, allowing interested parties to easily find out what was available. It was not necessary for the general public to see fliers about activities they had no interest in, and which could cause concern or offence.
- Members felt strongly that the standard conditions agreed by the Licensing Committee in January 2011 were the ones that should govern the future operation of licensed SEVs within the city.
- Whilst many of the representations received by the Committee in respect of the SEV applications suggested that lap-dancing clubs led to a rise in crime, the Police evidence did not support this. Members noted that there was no evidence of causation of violence or other incidents from any of the SEV premises being considered.
- Lounge at 30 was a large venue but the changing area for performers was very small. The premises layout was not suitable and it was in an appalling condition both in terms of its décor and how it was maintained. For example there were dirty handrails that stuck to hands and gloves, dirty stained floor coverings and offensive odours. One member referred to this as being evidence of the somewhat chaotic management scene.
- One Councillor expressed concern that Urban Tiger faced the Hippodrome, noting that smoking customers congregated

outside the door. Although space was not constrained at that point this was not a desirable state of affairs. It was observed, however, that smoking outside licensed venues was a national problem that needed to be addressed for all types of premises

- Lounge @ 30 being in sight of St Stephens Church was an important distinction for one Councillor.
- Another Councillor indicated he was impressed with the management of Urban Tiger who had understood what the Council was trying to achieve and had actively altered their business to bring it in line with the new regime. The premises were clean and very well presented. They were already operating as if the standard conditions were in place
- All four establishments were looking to offer very similar relevant entertainment in terms of nature and style; a combination of private dances and stage shows. The size of the various venues was considered and Members noted the range of capacities and their impact on the localities within which they were situated.
- With regard to temptations T3, there were no pressing concerns about the current management, aside from there having been an over emphasis on one person. It was encouraging that the company had recognised this and had taken active steps ie appointed a deputy and changed the security arrangements. Management responsibility was important for such venues and a lack of appropriate personnel would be a concern. The venue was smart and maintained to a good standard. The changing areas would shortly be refurbished and lockers would be provided.
- Security was important and performers needed to be protected, including when in changing rooms. There was currently no panic button installed in the changing area at Temptations, although the applicants had confirmed that they would be installing a digital lock on the door
- The gated courtyard at the front of Temptations separated the venue from the pavement/highway, which resulted in less disruption for those passing by. It also enabled smokers to be contained on the premises. Outside of opening hours the large gates at the front of the courtyard were closed.
- Screens had been in place outside Temptations until now which included advertisement for the venue. The committee did not think this appropriate. If the application were granted the standard condition would prevent this in future.
- Members observed that circumstances and policy could change. It was in the nature of this regime that on renewal grounds that would not found refusal now could be applied in the future.
- Members took on board objectors' concerns about logos outside

premises but considered that this issue should be capable of being dealt with by licence condition and on its own did not warrant refusal.

- Times of trading were discussed and it was noted that venues did not usually trade until after 9pm.
- The conditions in Lounge at 30 were in stark contrast to the other venues that had been seen by the committee.
- The smoking area in Temptations was one example of where performers and customers mixed. Members did not think this was desirable, even with CCTV in place.
- The Committee considered the suitability of the logos proposed to be displayed by each of the premises. They unanimously agreed that the one used by Central Chambers, of the silhouette of a woman in a bikini, was inappropriate and likely to cause offence. They agreed that this logo would need to be replaced with something more suitable if the SEV licence was to be granted.
- The Central Chambers applicants had requested that the 'no touching' rule ought not apply which did not inspire confidence in that management's current understanding of what Bristol was striving to achieve through standard conditions. That said this was a management team that had impressed in certain key respects and the committee felt confident the applicant would be able to work with the Council to successfully implement the new regime.
- Central Chambers management had taken a responsible approach to the safety of performers, eg by provision of a spacious changing area with accompanying facilities, by installation of a panic button for dancers and by the provision of secure lockers for use by performers.
- In terms of both décor and how it was maintained Central Chambers was a well-presented small venue. The inadequacy of disabled access at these listed premises was a concern, although the applicant had clearly considered the issue and had plans in place to address that appeared both realistic and achievable.

Members emphasised they had considered each of the premises carefully and on their own merits. None was perfect but one venue had fallen materially short of the standards that were acceptable in Bristol, both in terms of management and in regard to the premises themselves. With regard to ground c (appropriate number of sex establishments in a locality) Members referred to the policy and that nothing they had heard persuaded them that their judgment of what was appropriate in these two localities should be revised or that there was a basis for an exception to be made.

Councillor Stone moved that;

- subject to the standard conditions, except that in relation to Central Chambers where condition L is to be varied so the logo provided with the application may not be displayed, the applications for Central Chambers, Urban Tiger and Temptations be granted.
- The application for Lounge @30 be rejected on grounds a, c and d.
- In addition, the Licensing Manager is to review the conditions on the Licensing Act 2003 premises licences for those granted, with a view to ensuring the CCTV conditions are robust and fit for purpose.'

He was seconded by Councillor Morgan. On being put to the vote, there was unanimous support.

Councillors Abraham, Stone and Hugill thanked fellow Members of the Committee and also officers for their efforts during the SEV determination process.

- RESOLVED -**
- 1. That, subject to the standard conditions, except that in relation to Central Chambers where condition L is to be varied so the logo provided with the application may not be displayed, the following applications be granted;**
 - 1. Central Chambers**
 - 2. Urban Tiger**
 - 3. Temptations; and**
 - 2. That the application in relation to Lounge@30 be rejected on the following grounds;**
 - a - suitability of the applicant**
 - c – the number of sex establishments in the relevant locality**
 - d – the character, use and layout of the premises.**
 - 3. Authority be delegated to the Licensing Manger to ensure suitability of CCTV conditions operating in each establishment that has been granted**

**(Full written reasons for the decision
will be provided to the applicant for
Lounge at 30)**

(The meeting ended at 1.05pm)

CHAIR