

BRISTOL CITY COUNCIL

**MINUTES OF THE MEETING OF THE
LICENSING (HEARINGS) SUB-COMMITTEE
HELD ON 30TH SEPTEMBER 2013 AT 11.00 A.M.**

P Councillor Peter Abraham
P Councillor William Payne
P Councillor Steve Pearce

21.9/13 ELECTION OF CHAIR

RESOLVED - that Councillor Abraham be elected Chair for the duration of the Meeting.

LIC

22.9/13 DECLARATIONS OF INTEREST

None were received.

LIC

23.9/13 PUBLIC FORUM

Nothing was received.

LIC

24.9/13 PROCEDURE TO BE FOLLOWED AND INTRODUCTIONS

The Chair explained the procedure that would be followed and everyone introduced themselves.

LIC

25.9/13 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 APPLICATION FOR THE RENEWAL OF A SEXUAL ENTERTAINMENT VENUE LICENCE MADE BY NIGHTLIFE CLUBS LTD IN RESPECT OF PREMISES TRADING AS URBAN TIGER, 4 BROAD QUAY, BRISTOL, BS1 4DA.

The Applicants and Representatives were in attendance as follows
- Philip Kolvin QC, Julia Palmer, Chris Knight and David Jones;
also Terence Michael Davies, Independent Licensing Investigator.

The Sub-Committee received 60 on time plus 3 late Written Objections to the application. 5 of the Objectors were in attendance at the Meeting and addressed the Sub-Committee.

The Licensing Manager introduced the report and summarised it for everyone. He clarified that on page 3 of 27 Section D starts with words "Clear controls..."

Philip Kolvin put the case for the Applicants: The club has been in operation for 3 years and there have been no objections or complaints from any neighbours. There have also been no objections to the application from the Police or any other statutory authorities. There are no sexualised logos in the premises. The club does not open until 9.00 pm. There are never any performers outside the club. There is not a single recorded incident of assault, harassment or any kind of harm caused by a customer of the club. There is CCTV provided by the club as well as Police CCTV. Security staff are also in operation.

Terence Michael Davies answered from John Morse including the following responses: He did not announce his visit at the club and none of the managers or staff knew him. He spent 3 nights observing the operations in the club. He did observe any problems.

Philip Kolvin continued: The data referred to in 1 of the Objections was also submitted last year and there is no evidence of customers from Urban tiger causing any problems. There was no connection to the club relating to the female who was assaulted. The club has a highly experienced management team. There is no blemish on the licensing record of Mr Knight and there have been no problems with the licence for the premises. The club has received 3 visits from BCC as well as 2 from the Police. Mr Davies has also made covert visits. There have been no significant problems. On 21st December 2012 there was a breach of the conditions and the club operators apologise for this incident. The statement from Mr Knight explains what happened. The club's response to the incident included sacking door staff, issuing written warnings to managers, dismissing some dancers and re-inducting others, dancers' rules were made clearer, a compliance manager was employed, supervision was enhanced and plans drawn up to reconfigure the premises. An architect has already been engaged and he drew attention to the A3 plan. £130,000 is to be spent and the proposed improvements were explained. These would result in fewer dance

areas but improved supervision. The plan was put on hold pending a decision on the licence. Mr Davies was also employed to observe how the club was being run. He considered that the dancers are treated respectfully. He had dances with dancers and also observed other dancers. When a dancer accidentally touched him she immediately apologised.

Philip Kolvin continued: The breach of conditions was a lapse that his client has done everything possible to ensure that it never happens again. The dancers do not dance at other clubs on the same night. They must not leave at the same time as the customers. They must wait and are then escorted to their transport. This is not a moral issue. The law allows SEV's to exist and BCC has decided that there should be a maximum of 2 in the area. The Members are to consider the impact of the club, its interior and the operators. He noted that the objections received were the same as last year. There were very few objections and there is no evidence that the club has been harmful. It employs more women than men and has an Equalities Policy. The dancers are protected. A maximum of 100 people are allowed in the club and there are 15 staff on duty. The premises are highly protected and controlled. Staff are happy and there is no suggestion that his client is unfit to run the club. The radio advert referred to is no longer running and the refusal in Nottingham 10 years ago that was referred to related to a premises issue. There are already 25 CCTV cameras in operation and any reconfiguration/upgrade will be agreed with BCC.

The applicants and their representatives answered questions from Members of the Committee including the following responses: There are photos in the pack provided to Members that illustrate the proposed new layout of the club. The directors of the company were aware of the appointment of Mr Davies but nobody who works in the club was aware of his appointment. The appointment related to the incident on 21st December 2012 and was a way to reassure BCC would this incident would not be repeated. The club could be refurbished one floor at a time; the refurbishment is planned for January (2014) when the club is least busy. It is likely that the club would have to close for a few days. The refurbished club could not operate until the work was signed off by BCC. There may be a need to employ more staff in the management team following the refurbishment. The club can accommodate wheelchair users. The club is happy for the BCC Equalities Officer to inspect it. The compliance manager monitors the CCTV images

and also patrols the club. 100 customers can be monitored. Most dancers have set routine. Door staff go through the rules with customers as they arrive in the club. Customers are also reminded by dancers not to touch. Staff patrol the club at all times. Dancers may smoke at the rear of the premises and customers at the front; they are supervised at all times.

Philip Kolvin summed up the case for the applicant.

Decision

Members noted that there have no problems with the club and that all conditions have been complied with, apart from the incident on 21st December 2012; it was noted that the club had addressed this incident. They also noted that there are no links to the premises and any crime and disorder issues. The locality has not changed.

However they had great concerns about the state of the premises. They considered that the refurbishment work should be carried out as soon as possible. They considered that the CCTV system should modernised/upgraded to improve the quality of the pictures. They also decided that they would pay a site visit to the premises at the end of October/early November (2013).

It was therefore

RESOLVED - (i) that the application for the renewal of the Sexual Entertainment Venue Licence be granted subject to the same terms and conditions applying to the current licence, and the refurbishment being carried out with the ground floor and exterior completed by the end of October 2013 and the upper floor completed by the end of November 2013;

(ii) that the CCTV system be modernised/upgraded in accordance with the requirements of BCC and the Police by the time the refurbishment work is completed; and

(iii) that a site visit to the premises be made by Members at the end of October/early November 2013.

(The meeting ended at 3.15 pm.)

CHAIR