

DECISION RECORD

Licensing Act 2003 (all section references in this record are references to the Act)

LICENSING AUTHORITY FOR BRISTOL

LICENSING (HEARINGS) SUB COMMITTEE MEETING HELD ON 16 April 2015

AGENDA TITLE

Conduct of a hearing into an application for the GRANT of a licence made by: Annette Wood
in respect of: Elite Retreat, 1 Alfred Street, St Philips, Bristol BS2 0RF

MEMBERS PRESENT:

1. Councillor Pearce (Chair)
2. Councillor Stone

OFFICERS PRESENT

Ashley Clark, Legal Advisor
Sarah Flower, Licensing Policy Adviser
Allison Taylor, Committee Clerk

REPRESENTATIONS RECEIVED FROM:

Martin Rowland
Heather Clark

Applicants, responsible authorities and interested parties

PARTIES & REPRESENTATIVE (IF ANY) in attendance

Applicant

**Annette Wood - Applicant
Peter Angus - Solicitor**

Chief Officer of Police (s.13(4)(a))

**Martin Rowland
Matt Parfitt
Louise Mowbray**

Fire Authority (s.13(4)(b))

Not a party to this hearing

Health and Safety Enforcing Authority (s.13(4)(c))

Heather Clark

Local Planning Authority (s.13 (4) (d))

Not a party to this hearing

Environmental Health (Pollution Control) (s.13 (4) (e))	Not a party to this hearing
Social Services Authority (s.13 (4) (f))	Not a party to this hearing
Any other relevant Licensing Authority (s.13 (4) (g))	Not a party to this hearing
Weights and Measures Authority (s.13. (4) (i))	Not a party to this hearing
Relevant persons who are persons living in the vicinity of the premises (s.13 (3) (a))	Not a party to this hearing
Relevant persons who are a body representing persons living in that vicinity (s.13 (3) (b))	Not a party to this hearing
Relevant persons who are persons involved in a business in that vicinity (s.13 (3) (c))	Not a party to this hearing
Relevant persons who are bodies representing persons involved in such businesses (s.13 (3) (d))	Not a party to this hearing

RECORD OF HEARING:

The authority made a contemporaneous hand written (long hand) record of the hearing. Any party wishing to receive a typed transcript should contact Councillor Support Officer (Democratic Services, City Hall, College Green, Bristol) for information regarding the arrangements for transcribing and any charge levied where the authority produces the same. Set out below is a summary of the reasons for the decision, in the event of an appeal the Licensing Authority reserves the right to elaborate on the reasons.

DECISION MADE:

1. (a) That the application be GRANTED subject to the conditions on the licence as modified as follows:
 - (i) The addition of conditions as detailed in Annex 3 below
 - (ii) The mandatory conditions included in the licence under section 19, 20, 21 of the Act

Accordingly the licence is to be issued subject to the following

Licensable activities authorised by the licence and the times the licence authorises the carrying on of licensable activities

STANDARD TIMES

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities.

Sale of Alcohol	Monday to Sunday 11:00 - 06:00
Films	Monday to Sunday 11:00 - 06:00
Recorded Music	Monday to Sunday 11:00 - 06:00
Late Night Refreshment	Monday to Sunday 23:00 - 05:00

Should the licence be granted the supply of alcohol will be authorised as follows:

- 1 Supply of alcohol is authorised for ON premises only.

The opening hours of the premises

Monday to Sunday	11:00 - 06:00
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NON STANDARD TIMINGS

- 1 Non standard timings not applicable.

Annex 1 – Mandatory conditions

Conditions to be applied should the application be granted

1 Mandatory condition Licensing Act 2003 - Exhibition of Films

In this section - "Children" means persons aged under 18."

The admission of persons to the exhibition of any film shall be restricted in accordance with any recommendations made by the Licensing Authority, Bristol City Council as the relevant film classification body, save that in those circumstances where the Licensing Authority has made no recommendation which applies to the particular film, the admission of persons shall be restricted in accordance with any recommendation made by the British Board of Film Classification. Children shall not be admitted to any exhibition of films at times where access to the premises by children has been restricted by the conditions of this licence.

In accordance with section 20 (3) (b) The Licensing Authority for Bristol hereby notifies the premises licence holder that this licence does not authorise the exhibition of any film categorised by the Licensing Authority or the Film Classification Body as R18. This restriction shall not apply to those premises licensed as a sex cinema in accordance with the Local Government (Miscellaneous Provisions) Act 1982 Schedule 3 Section 2 Control of Sex Establishments.

2 Mandatory condition Licensing Act 2003 - Door Supervision

Where this licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

(a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

(b) be entitled to carry out that activity by virtue of section 4 of that Act.

(As required by s21 Licensing Act 2003 as amended by the Violent Crime Reduction Act)

3 Mandatory condition Licensing Act 2003 - Supply of Alcohol

1.No supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory Licensing Conditions - Additional conditions imposed by Policing and Crime Act 2009

Conditions numbered 1 - 4 shall be in force as of the 01 October 2014.

Conditions 1, 2 and 4 shall not apply where the premises licence authorises sale by retail or supply of alcohol only for consumption off the premises.

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where

that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -

(a) a holographic mark, or

(b) an ultraviolet feature.

4. The responsible person must ensure that -

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Additional conditions imposed by Licensing Act 2003 (Mandatory Conditions) Order 2014

Conditions numbered 1 - 4 shall be in force as of 28 May 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1 -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a

licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

Conditions consistent with the operating schedule application submitted on 27 February 2015

1 CC01 CCTV shall be in use at the premises.

(i) Where a CCTV system is to be installed, extended or replaced, it shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police. Where a CCTV system is to be installed it shall be fully operational by commencement of Licensable activity. Where existing CCTV systems are to be replaced or extended the replacement or extension to the system shall be concluded by commencement of Licensable activity and the system be fully operational on that date.

(ii) The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards.

(iii) The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority

(iv) The correct time and date will be generated onto both the recording and the real time image screen.

(v) If the CCTV equipment (Including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified.

(vi) The premises Licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of an authorised officer of the Licensing Authority or a constable.

(vii) There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during all periods of Licensable activity.

2. CE02 No person apparently under the age of eighteen years shall be admitted to

any exhibition at which there is to be shown any film which has received an '18' certificate from the British Board of Film Classification. In such circumstances a "Challenge 25 policy should be adhered to and valid proof of age required before admittance.

3. CE19 All registers of members and visitors books of their guests shall be available for immediate inspection by the licensing authority during any performance, or at any other reasonable time.

4. CE22 No persons under 18 years of age shall be employed in any capacity at licensed premises which are operating as cinema clubs showing films in the 'RESTRICTED (18)' category.

5. CE24 Membership rules for club cinemas shall include the following:

(a) only members and their guests shall attend exhibitions of moving pictures classified in the 'RESTRICTED (18)' category.

(b) membership shall be open to persons of both sexes of not less than 18 years of age. Applications for membership, including both name and address, shall be in writing, signed by the applicant, and if deemed necessary such applications shall provide satisfactory references and proof of age.

(c) no person shall be admitted to membership until the expiration of at least 24 hours after such written application has been approved by the licensed proprietors.

(d) members shall be entitled on any one day to bring not more than one guest to accompany the member and the name of the guest shall be entered in the visitor's book and countersigned by the member.

(d) membership cards shall be personal to the member and shall not be transferable to any other person.

(e) neither membership tickets nor guest tickets shall be transferable.

(f) no member shall introduce as a guest any person under the age of 18 or any person whose application for membership has been refused.

(g) proof of identity, or of age, or of any particulars of any guest shall be produced by any member or guest if demanded by the proprietors.

(h) a subscription may not entitle the club member to attend other clubs under the same management unless the prior consent of the licensing authority has been obtained.

(i) on admission a member shall be bound by the rules of the club and by any byelaws and regulations made there-under.

6. NP02 Amplified music shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity.

7. NP03 Except for access and egress all doors and windows shall be kept closed during periods of entertainment associated with the Premises Licence.

8. NP04 No speakers for amplification of music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises.

9. NP13 Noise Limiting devices

If officers of the City Council of Bristol 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 used in conjunction with the premises.

10. NP57 Clear notices displayed at all points where customers leave the building must instruct them to respect the needs of local residents and leave the premises and the area

quietly.

11. SA01 All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instance when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable.

12. SA02 (a) An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as "Challenge 25" whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.

(b) Publicity materials notifying customers of the operation of the Challenge 25 scheme shall be displayed at the premises, including a Challenge 25 sign of at least A5 size at the entrance to the premises and where practicable at each point of sale.

13. SA03 The premises licence holder shall require the designated premises supervisor, or in his/her absence other responsible person, to keep an 'incident/refusals logbook in a bound book in which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken and final outcome of the situation. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The logbook is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable when required.

14. CV12 There shall be no events for persons under 18 years of age

Annex 3 – Conditions attached after a hearing by the licensing authority

Conditions proposed by Responsible Authorities:

1 DA02 The premises licence holder shall ensure that a clearly visible notice will be placed on the premises advising those attending, that the Police will be informed if anyone is found in possession of controlled substances or weapons.

2. CA03 Measures must be put in place to ensure that the capacity is not exceeded at any time.

3. CA08 The licence holder shall determine the occupant capacity of the premises on the basis of documented risk assessment(s).

(i) The risk assessment(s) must take into account all relevant factors including space, means of access and egress, toilet provision, load-bearing capacity of floors, ventilation, etc and must be reviewed regularly, and if circumstances change.

(ii) Where necessary separate occupancy levels must be set for different parts of the premises.

(iii) The premises licence holder shall ensure that they consult the Public Health Services of Bristol City Council and any other relevant authority (for example the Fire Rescue

Service regarding emergency evacuation limitations) as to the occupancy figure.

Confirmation of the consultation and any outcomes shall form an integral part of the risk assessment on which the capacity figure is based.

(iv) The capacity figure proposed by the premises licence holder shall be notified to the Licensing Authority in writing prior to the commencement of the licence.

(v) Measures must be put in place to ensure that the capacity is not exceeded at any time.

(vi) All documentation pertaining to the proposed figure must be kept on the premises and must be available immediately on request to any authorised officer of the Licensing Authority or a constable.

(vii) The premises licence holder shall regularly review, update and amend any risk assessments particularly following any changes to the layout or operation of the venue. Such reviews etc shall be fully documented and form an integral part of the risk assessment.

4. CC14 CCTV cameras shall monitor all areas used by premise patrons including any external smoking area to monitor numbers and prevent crime and disorder.

5. GB04 The premises licence holder shall ensure that all drinking glasses used within the premises are of toughened or safety glass to the appropriate safety standard, in that they shall not produce sharp shards when broken.

6. SX04 Use of premises by third parties. Where the premises, or parts of the premises may be hired out by third parties or be used by events promoters, the premises licence holder must ensure that there are appropriate procedures 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 procedures / arrangements which will ensure that the licensing objectives are not compromised.

7. Entry only permitted to registered members over the age of 18.

8. Proof of age shall be checked when membership is taken out.

Conditions attached after this hearing by the licensing authority

1. EL6 The premise licence holder shall ensure that a Residual Current Device protection, sensitive to tripping currents of not more than 30 milli-amps, are fitted to all power circuits supplying sockets that may be used by entertainers / members of the public for plugging in electrical equipment. These should be regularly tested to ensure they are still functioning as required.

2. EL9 – Electrical installation in areas used by members of the public shall be subject to the following :

i) 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).

(ii) All electrical equipment and installations shall be subject to regular visual checks to ensure that they are safe and in good working order, as well as formal routine tests by a competent person as advised in the aforementioned BS 7671 guidance.

(iii) 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.

3. GS26 - All traffic routes used by members of the public (including entrance ways, gangways, lobbies, corridors, passages and exit routes and all steps and stairways) should have:

(i) Nosings of the treads of steps in a contrasting colour to the remainder of the tread. The nosings shall show up clearly under emergency lighting conditions.

(ii) Any changes in level clearly visible to members of the public, such as by using contrasting colours or additional lighting.

(iii) Mats more than 1 cm thick sunk to floor level unless of rubber with wide bevelled edges.

A continuous handrail 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.

4. GS27 - Heavy Fittings. Heavy fittings such as projectors, stage lights, etc must have not less than two independent means of suspension e.g. clamp and chain.

5. SF02 - Adequate sanitary accommodation shall be provided at the premises in accordance with either the District Surveyors Technical Standards for places of entertainment or the BS6465 standard for sanitary provisions or any British Standard replacing or amending the same.

6. WM01 - 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.

7. VN01 - 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.

8. SX01 - (i) 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.

(ii) '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.

(iii) Furthermore written permission must be sought from the licensing authority before using any of the above - for the first time and after any significant changes have been made to the venue, usage of the effect or the equipment itself.

9. The fencing of the roof terraces must be designed, constructed and maintained so as to effectively prevent risks to public safety from falling persons or objects. This should be based on a written risk assessment taking into account all relevant factors including the

likelihood of a death from such a fall, the position of the furniture, the presence of staff in the area, and the behaviour of the customers.

10. Clear signage to be displayed in a prominent position within the premises detailing the safe use of any spa pool, sauna and steam room at the premises and warning of the danger of the use of any these facilities whilst under the influence of alcohol.

12. There shall be no consumption of alcohol in the hot tub room, shower and sauna.

Annex 4 – Plans

- 1 Plans as submitted to the Licensing Authority on 27th February 2015.
2. That the GRANT here agreed will take effect immediate effect.
3. That in accordance with Section 23 of the Act a duly authorised officer be directed to give Notice of determination to:
 - (a) Annette Wood
 - (b) The Chief Officer of PoliceAnd the following bodies that made representations:
 - (a) Martin Rowland
Heather Clark

REASONS FOR DECISION

The following paragraphs summarise the sub-committee's reasons for granting the application and for modifying the conditions on the Licence.

The sub-committee carefully considered the representations together with the information provided for the Hearing and that received during it. The sub-committee had regard to the Secretary of State's guidance to Licensing Authorities and the Authorities own statement of licensing policy.

The committee's decision was particularly influenced by the consideration of the promotion of the licensing objectives concerning the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm.

The Committee first noted that the premises was a private gentleman's health club for gay and bi-sexual men. The premises included a sauna, steam room, Jacuzzi, hot and cold showers and a vending drinks machine. The applicant wished to supply cans of lager and beer from the fridge in addition to the soft drinks available but made it clear that there would be no use of any of the 'water' facilities when consuming alcohol and this would be backed up with clear signage. She added that most of her clientele were professional over 18s who tended to drive to the venue. She had agreed conditions with the Police but had not agreed conditions with public safety.

The Public Safety representative stated that she had visited the premises several times and her main concern that this application sought music and alcohol sales until 6am each morning and so it was effectively a night club with a hot tub. Customers drinking and using

such facilities were at risk of drowning or having a heart attack and should therefore be advised not to use within 90 minutes of drinking. Venues such as leisure centres and spas had limited opening hours, were well staffed and required an annual membership. She asked how customers were to be monitored to ensure they did not drink too much and that a sign was inadequate for the circumstances. As a minimum, she asked that customers not be allowed to drink on the ground floor. In addition, she stated that toilet numbers needed to be appropriate for the capacity and in this case it would be 2 W/C's, 3 urinals and 3 wash basins. Ventilation was also required in the other enclosed areas and in the room upstairs.

The applicant, in response, stated that there was a capacity for 200 but the most customers at any one time had been 28 as it was a 'come and go' venue. She agreed to resolve the ventilation needs and confirmed that there was no plans for any special effects.

The Police confirmed that all conditions had been agreed. It was the Police's view that although there was alcohol for long hours and was therefore affectively a club, there was a low capacity and it was a members club so they had no concerns regarding the upholding of the licensing objectives.

It was noted that the premises was already licenced until 5am for late night refreshment and the applicant did not intend to use these hours all the time but wished to have flexibility.

The applicant's legal representative stated that the applicant was happy to exclude the area pointed out directly next to the hot club and clear demarcation would be provided there. Reception staff would be able to monitor the hot tub area and ensure there was no alcohol consumption and plastic glasses only. The website would also inform customers that they would be excluded from the club should they drink alcohol in these areas.

The Public Safety representative, in sum up, stated that there was a serious risk at the use of the premises with alcohol. If granted, she asked that consideration be given to additional staff, written advice on the risks and sanctions in the membership agreement and that alcohol only be permitted in the reception area near staff, but not on the first floor roof terrace and lounge but or in the cubicle area.

The applicant, in sum up, stated that the proposed limits on alcohol would severely impact the business. Provided the traffic areas were kept free, there should be no further restrictions upstairs. It was hoped that the previously agreed conditions along with those agreed today were sufficient to uphold the licensing objectives and grant the licence.

The Committee, having carefully deliberated, agreed to grant the application as applied for except the supply of alcohol from the wet areas and subject to the conditions agreed with Responsible Authorities and those conditions offered at the hearing. Alcohol would be available in every other part of the premises other than the hot tub room, shower and sauna.

The Committee's focus was alcohol in areas where there was water. The Committee noted the concerns from Public Protection but accepted the arguments made by the applicant.

The Committee was aware of the issues regarding alcohol consumption whilst using areas with water but understood that alcohol could have been consumed before customers arrived at the venue. There was a clear expectation on the applicant to monitor the venue responsibly.

SIGNED:

CHAIR

Name: Councillor Pearce