

Licensing (Hearings) Sub-Committee

Agenda



Date: Thursday, 27 April 2017

Time: 12.30 pm

Venue: City Hall College Green, BS1 5TR

Distribution:

Councillors: Harriet Clough, Richard Eddy and Mike Langley

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Date: Wednesday, 19 April 2017



Agenda

1. Welcome, Introductions and Safety Information

(Pages 3 - 4)

2. Apologies for Absence and Substitutions

3. Declarations of Interest

4. Public Forum

Up to 30 minutes is allowed for this item

Any member of the public or Councillor may participate in Public Forum. The detailed arrangements for so doing are set out in the Public Information Sheet at the back of this agenda. Public Forum items should be emailed to democratic.services@bristol.gov.uk and please note that the following deadlines will apply in relation to this meeting:-

Questions - Written questions must be received 3 clear working days prior to the meeting. For this meeting, this means that your question(s) must be received in this office at the latest by 5 pm on 21st April 2017.

Petitions and Statements - Petitions and statements must be received on the working day prior to the meeting. For this meeting this means that your submission must be received in this office at the latest by 12.00 noon on 26th April 2017.

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

To consider an application for the renewal of the Sexual Entertainment Venue (SEV) licence in respect of premises trading as Central Chambers, 9-11 St Stephens Street, Bristol, BS1 1EE. (Pages 5 - 27)



Licensing Public Information Sheet

Inspection of Papers - Local Government
(Access to Information) Act 1985

You can find papers for all our meetings on our website at www.bristol.gov.uk.

You can also inspect papers at the Brunel House Reception, St.George's Road, Bristol, BS1 5UY.

Other formats and languages and assistance
For those with hearing impairment

You can get committee papers in other formats (e.g. large print, audio tape, braille etc) or in community languages by contacting the Democratic Services Officer. Please give as much notice as possible. We cannot guarantee re-formatting or translation of papers before the date of a particular meeting.

Committee rooms are fitted with induction loops to assist people with hearing impairment. If you require any assistance with this please speak to the Democratic Services Officer.

Public Forum

Residents who are affected by the business of the Committee, may present a petition or submit a statement at ordinary meetings of the Licensing Committee and at Licensing Sub-Committee meetings. Petitions, questions and statements presented to the Licensing Sub-Committee can be received only in respect of hearings already decided and licence applications not subject to a hearing.

The petition or statement must relate to the terms of reference and role and responsibilities of the Committee or Sub-Committee concerned.

Further information on representations is available from the Licensing Office (tel: 0117 9142500) or from Democratic Services.

Your submission will be sent to the Committee and statements, questions and answers will be available in the meeting room one hour before the meeting. Please submit it to democratic.services@bristol.gov.uk or Democratic Services Section, Brunel House St Georges Road Bristol BS1 5UY. The following requirements apply:

- The statement is received no later than **12.00 noon on the working day before the meeting** and is about a matter which is the responsibility of the committee concerned.
- The question is received no later than **three clear working days before the meeting**.

Please see www.bristol.gov.uk and the '[How to Have Your Say](#)' pdf for the parameters of each individual Committee and what will happen to your submission.



Any statement submitted should be no longer than one side of A4 paper. If the statement is longer than this, then for reasons of cost, only the first sheet will be copied and made available at the meeting. For copyright reasons, we are unable to reproduce or publish newspaper or magazine articles that may be attached to statements.

By participating in public forum business, we will assume that you have consented to your name and the details of your submission being recorded and circulated. This information will also be made available at the meeting to which it relates and placed in the official minute book as a public record (available from Democratic Services).

We will try to remove personal information such as contact details. However, because of time constraints we cannot guarantee this, and you may therefore wish to consider if your statement contains information that you would prefer not to be in the public domain. Public Forum statements will not be posted on the council's website. Other committee papers may be placed on the council's website and information in them may be searchable on the internet.

Process during the meeting:

- Public Forum is normally one of the first items on the agenda, although statements and petitions that relate to specific items on the agenda may be taken just before the item concerned.
- There will be no debate on statements or petitions.
- The Chair will call each submission in turn. When you are invited to speak, please make sure that your presentation focuses on the key issues that you would like Members to consider. This will have the greatest impact.
- Your time allocation may have to be strictly limited if there are a lot of submissions.
- If there are a large number of submissions on one matter a representative may be requested to speak on the groups behalf.
- If you do not attend or speak at the meeting at which your public forum submission is being taken your statement will be noted by Members.

Webcasting/ Recording of meetings

Members of the public attending meetings or taking part in Public forum are advised that all Full Council and Cabinet meetings and some other committee meetings are now filmed for live or subsequent broadcast via the council's [webcasting pages](#). The whole of the meeting is filmed (except where there are confidential or exempt items) and the footage will be available for two years. If you ask a question or make a representation, then you are likely to be filmed and will be deemed to have given your consent to this. If you do not wish to be filmed you need to make yourself known to the webcasting staff. However, the Openness of Local Government Bodies Regulations 2014 now means that persons attending meetings may take photographs, film and audio record the proceedings and report on the meeting (Oral commentary is not permitted during the meeting as it would be disruptive). Members of the public should therefore be aware that they may be filmed by others attending and that is not within the council's control.



BRISTOL CITY COUNCIL LICENSING COMMITTEE 27 APRIL 2017

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

Report of the Director of Neighbourhoods and City Development

Purpose of Report

1. To seek consideration of an application for the renewal of the Sexual Entertainment Venue (SEV) licence in respect of premises trading as Central Chambers, 9-11 St Stephens Street, 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 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. Guidance is provided to the committee in subsequent paragraphs of this report.
5. The applicant states that relevant entertainment is to be:

“Fully nude striptease on stage, fully nude live stage shows, fully nude pole dancing, fully nude lapdancing.”

The proposed relevant entertainment to include live performance, live displays of nudity, male exposure of the pubic area, genitals and anus, female exposure of nipples, pubic area, genitals and anus. A copy of the previous SEV licence is attached for member's information at Appendix A.

6. A copy of the location map is attached as Appendix B. A copy of the plan of the premises layout is attached as Appendix C.
7. A copy of the company logo is attached as Appendix D. Copies of the house rules and code of conduct for dancers are attached as Appendices E and F respectively.

8. The applicant has given additional information which they wish the Council to take into account when considering this application. This is attached at Appendix G.

9. 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 15 of the adopted legislation. Paragraph 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.”

10. This application was made on the 15 September 2016. The last date for objections was 14 October 2016. A total of ten objections were received within that period and the committee must have regard to them. The Council must not disclose the identity of any objectors without their consent.

A copy of all objections, with personal details redacted where appropriate, is attached at Appendix H.

11. Late Objections

It used to be thought that the legal position was that objections could not be received and considered after the statutory deadline in consultation, but case law has now clarified the position that there is discretion to take late objections into account. A late objector cannot require that their objection be taken into account however they do acquire the anonymity that objections properly made would receive. If any late objections were to come forward a copy would be provided to the applicant so that they would be able to make representations regarding whether or not the sub-committee should exercise its discretion to consider them.

No objections have been received outside of this period.

12. Observations of the Licensing Enforcement Team.

Licensing Enforcement officers visited the premises in conjunction with Avon and Somerset Constabulary on 22 October 2016. A check of the Licensing Act 2003 and SEV licences was undertaken, and the DPS and Manager, Carrie Hale was present. Officers did not identify any compliance issues at this visit. A request was made for copies of the CCTV, which was produced to the licensing authority. Upon viewing the footage, officers found no apparent breaches.

13. Observations of the Chief Officer of Police.

The Police have not made any comments in respect of this application at the time of writing.

14. Equalities Impact Assessment

- (i) 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 who 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.
- (ii) 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.
- (iii) The following paragraphs identify issues that may be considered relevant to the determination of the application. 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.
- (iv) 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 any convictions held by the applicant to be made known to the Licensing authority. This requirement is particularly relevant as it is imperative that the licence holder is a suitable person to hold such a licence. Should any SEV licence be granted a set of robust conditions will cover all aspects of the operation, including the protection of workers providing any activity allowed under the licence. In addition to convictions it is equally 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 needs to be satisfied of the person's ability to ensure the safety and wellbeing of performers, employees and members of the public. The committee also need to be confident of the applicant's ability to understand and adhere to any conditions imposed should any licence be granted.

This venue is located on St Stephens Street adjacent to the main transport hub for the city centre and is in the heart of Bristol's night time economy which 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 as defined within the Licensing Act statutory guidance. Members should consider, on the basis of the application before them, whether this remains 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.

(vi) The Premises

Members will have had the opportunity to visit the premises and view plans of the layout. The type of operation undertaken at the premises can reasonably be described as a lap dancing club and it would not be unreasonable to assume that the performers at the premises will generally be women. Members are therefore required to have due regard to the duties described above. In particular members should be satisfied that the layout of the premises provides 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. Of equal importance is the external appearance of the premises. Members need to be satisfied that any frontages are appropriate and do not undermine the duty to foster good relations between persons who share a relevant characteristic and those who do not.

15. 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.

16. 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.

17. 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 was 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.

18. 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

19. The application process requires applicants to provide comprehensive information about any convictions and a range of other information that may be relevant to consideration of grounds A and B. In regard to this applicant there is no evidence of convictions deemed to be unspent under the Rehabilitation Of Offenders Act, cautions, discrimination cases or pending allegations at the date the application was made that would cast any doubt on the suitability of the applicant to hold the licence by reason of having been convicted of an offence or for any other reason.

20. Ground c)

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

21. The Licensing Committee has previously found that the relevant locality for the purpose of the Central Chambers premises is the City Centre locality. The full Licensing Committee has adopted policy on behalf of the Council for the City Centre locality under which the appropriate number of sex establishments, or of sex establishments of a particular kind for the City Centre locality is:

Sex shops – 2

Sex cinemas – 0

Sexual entertainment venues (SEV) – 2

22. There are currently two licensed SEV's in the City Centre locality of which this renewal application is one. Therefore if the sub-committee follows the Council's policy this ground for refusal would not arise.

23. 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 are put; or
- (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

24. 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 application 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.

25. 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

26. 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 that together with information 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 put 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.

27. 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.

APPENDICES

- Appendix A Current Sexual Entertainment Venue Licence
- Appendix B Locality map
- Appendix C Plan of premises
- Appendix D Applicant logo to be displayed on the exterior of the premises
- Appendix E House rules
- Appendix F Code of conduct for dancers
- Appendix G Additional information from applicant
- Appendix H Objections received

RECOMMENDED:

1. That the sub-committee determine the application after affording a hearing to the applicant.

LEGAL IMPLICATIONS

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

1. The sub-committee should consider 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 they may be applied in the particular application under consideration. Where a discretionary ground is judged to apply in this application the sub-committee must consider whether or not to exercise its discretion to rely upon that ground (or grounds) to refuse the application. The applicant must be given the opportunity to persuade the subcommittee either that the ground is not available in the particular circumstances of this case or, even if it is, that the council ought not to rely upon it to decide to refuse this application.

2. Subject to acting within the statutory constraints referred to in this report and subject to adherence to the Council's own procedure rules the sub-committee is able to set its own procedure for the conduct of the meeting. As the report makes clear in considering the application the subcommittee must have regard to any observations submitted to the Council by the Chief Officer of Police. The legislation does not impose any time limit on the ability of the Chief Officer to make observations and the Chief Officer of Police is not limited to objecting.

3. The sub-committee must also have regard to any objections of which notice has been sent to the Council under paragraph 8(15) of the Third Schedule to the 1982 Act. 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 renew a licence. There is no requirement to allow objectors to be heard although this may be permitted. Case law makes it clear that in exercising discretion to afford objectors a hearing the Council must consider the risk of unfairness to the applicant. The meeting should be conducted as a hearing of the applicant's case for the grant of a licence and not as an adversarial contest between the opposing views of the applicants and the objectors. If 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 before the meeting gets underway the committee chair should 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.

4. Case law establishes that an applicant cannot expect that a licence will automatically be renewed. Within the constraints of the grounds for refusal there is a wide margin of discretion. Subject to the obligation to give adequate reasons and to have due regard to its earlier decisions, this subcommittee is entitled to take a fresh look and is not bound in any way by the views of earlier subcommittees. In order for adequate reasons to be given, among other things, they must be intelligible and rational, that is to say properly relevant to the ground or grounds relied upon for refusal. Guidance on the general principles applying will be available to the subcommittee throughout the hearing and during deliberations.

5. The Council is under a duty in section 149 of the Equality Act 2010 to have due regard to the matters set out in relation to equalities when exercising the function of determining this renewal application. Accordingly Members must have due regard to the need to –

- eliminate discrimination, harassment, victimisation and any other conduct prohibited in relevant equalities legislation;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant characteristic and persons who do not share it.

The protected characteristics are set out in the report

5. Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to –

- (a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it

(c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

6. There is no prescribed manner in which the equality duty must be exercised. However, the Council must have adequate evidence to inform its decision making. This can be in various forms, including engagement with the public and interest groups and by gathering details, statistics impact assessments and similar documentary evidence relevant to the statutory function engaged in this regulatory process.

Michael Bonnick
Legal Officer , Community Litigation Regulatory Team
For Service Director – Legal Services

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background papers: **Application and supporting documents.**
Contact Officer: **Abigail Holman, Senior Licensing Officer**
 Neighbourhoods and City Development
 Telephone: 01173574900



LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

**Part II Schedule 3
SEXUAL ENTERTAINMENT VENUE**

**Bristol City Council
Princess House, Princess Street, Bedminster, Bristol. BS3 4AG**

Name, (registered) address, telephone number and email (where relevant) of holder of licence:

Reedbed Ltd, Unit 1, 146 Hanham Road, Kingswood, Bristol, BS15 8NP

Address of premises:

Central Chambers
9 - 11 St Stephens Street
Bristol
BS1 1EE

The licence is granted for one year commencing on: 16 September 2015

Premises Licence Number: 15/03513/SEV

The licence is granted on the terms, conditions and restrictions set out in the Schedule of Conditions.

Description of Permitted Relevant Entertainment

(Relevant entertainment has the meaning given in the Act and Permitted Relevant Entertainment has the meaning given in regulations referred to in the Schedule of Conditions)

- (i) Full nude lap dancing
- (ii) Full nude striptease on stage
- (iii) Fully nude live stage shows
- (iv) Fully nude pole dancing
- (v) Topless and fully nude lap dances in a designated area

SCHEDULE OF CONDITIONS

Save where they have been expressly excluded or varied, as particularised in paragraph 1 of this schedule, the licence is granted subject to the terms, conditions and restrictions prescribed by the Authority in regulations ("Standard Conditions") and also to any additional terms, conditions and restrictions set out in paragraph 2 of this schedule.

Paragraph 1 – Exclusion and variation of Standard Conditions.

1.1 Standard Conditions that have been excluded: None

1.2 Standard conditions that have been varied: None

Paragraph 2 – Additional terms, conditions and restrictions;

2.1 Relevant entertainment may only take place on the following days and times:
Monday to Sunday 12:00 – 06:30 the following day

2.2 CCTV.

(i) There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during all trading hours

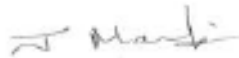
(ii) If relevant entertainment is specifically provided for an audience of one (for example what is sometimes referred to as a private dance) the camera must be positioned and operated so as to ensure that both parties are clearly identifiable from the captured images.

(iii) All monitors shall be positioned so that customers may not observe images.

(iv) That the CCTV system be modernised/upgraded in accordance with the requirements of Bristol City Council and the Police by end of November 2013.

2.3 Relevant entertainment shall not include any word, action or imagery that endorses or depicts, or might reasonably be taken as endorsing or depicting, or be promoted as including, any conduct which, if taking place in reality, would amount to a criminal offence; for the avoidance of doubt this imposes a prohibition on any performer being clothed in a school uniform or otherwise attired or presented as being a school student or a child or being promoted as such in any media.

Signed:



Jonathan Martin
Regulatory Compliance Unit manager

Enclosures

City Council of Bristol (The Council)

Regulations prescribing standard conditions applicable to licences for sexual entertainment venues

Made on the: 25 day of February 2011.

Coming into force on the: 1 day of July 2011

1. The Council makes these regulations pursuant to its power under paragraph 13 of the Third Schedule to the Local Government (Miscellaneous Provisions) Act 1982 ("The Act").

2. In these conditions

'Audience'; 'Sexual Entertainment Venue'; and 'Relevant Entertainment'; each have the meaning given in the Act .

'Performer' means any individual who performs or actively participates in Relevant Entertainment (whether or not they are an employee) and "Performance" and "Performing" shall be construed accordingly.

'Permitted Relevant Entertainment' means entertainment falling within the description specified on the licence as being permitted at the licensed premises

'Relevant Offence' means

1. An offence under the Local Government (Miscellaneous Provisions) Act 1982 Schedule 3.

2. A sexual offence, being an offence listed in Part 2 of Schedule 15 to the Criminal Justice Act 2003, other than the offence mentioned in paragraph 95 (an offence under section 4 of the Sexual Offences Act 1967 (procuring others to commit homosexual acts));

3. Every Sexual Entertainment Venue Licence granted, renewed or transferred by the Council shall be presumed to have been so granted, renewed or transferred subject to the standard conditions contained in the schedule unless they have been expressly excluded or varied by the Council.

Schedule

A. Only Permitted Relevant Entertainment is authorised under this licence.

B. Permitted relevant entertainment may only take place on those parts of the premises as are identified on the plan annexed to the licence.

C. Relevant entertainment shall not occur in private rooms, cubicles or other enclosed areas. For these purposes a room, cubicle or other area is private unless it is completely open on one side so that activities within may be supervised from the exterior.

D. The Council shall be provided with a Code of Conduct for Performers and Rules to be observed by members of the audience.

E. The Code and Rules referred to in Condition D above shall be brought to the attention of all performers and members of the audience and reasonable measures shall be taken to ensure that they are complied with.

F. 1. At no time during the performance may there be any contact between a performer and a customer. Prior to the performance or at the completion of the performance there may be hand-to-hand payment for the performance.

2. At no time except during the performance may a performer or employee be

unclothed. Immediately following the performance, the performer must dress, so that (for example) the performer may not be unclothed when seeking payment for a performance.

3. No performer or employee may at any time (and whether or not performing):

- a. sit or lie on the lap or any other part of any customer;
- b. kiss, stroke, fondle, caress or embrace any customer;
- c. engage in any other contact of a sexual nature with any customer.

4. In these conditions:

- a. "customer" means any person visiting the premises other than employees or performers, whether or not they have paid for or intend to pay for services provided;
- b. "employee" means any person working at the venue whether under a contract of employment or some other contract;
- c. "unclothed" means when breasts and/or genitals and/or anus are fully or partially uncovered.
- d. "other contact of a sexual nature" means contact which must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating the customer.

G. As soon as is reasonably practicable, and in any event within seven days, the Council shall be notified of any material change in the management structure, where a material change means one which is at variance with the information provided in the most recent application for a license, or its renewal or variation as the case may be;

H. No person shall be employed or shall perform at the premises who has unspent convictions for any Relevant Offence;

I. Copies of the license and the conditions applicable to it shall be displayed on the premises in a place where it is likely to be seen by every member of the audience;

J. The licensee shall retain control over all parts of the licensed premises when used for Relevant Entertainment;

K. Customers shall be made aware of any charge for admission to the premises, and of any further charges that may be levied in connection with the provision of Relevant Entertainment, before being admitted to the premises;

L. There shall be no display either upon or outside of the licensed premises (in such a way that it is visible on the exterior) of photographs or other images which indicate or suggest that Relevant Entertainment is provided upon the premises, with the exception of any registered trade mark, trading name or trading symbol that has been provided to the Council in connection with the most recent application for licence, its renewal or variation as the case may be;

M. The licensee shall ensure that no area where Relevant Entertainment may take place can be viewed from outside the licensed premises at any time;

N. The licensed premises shall be sufficiently illuminated to ensure that usable CCTV images can be captured;

O.1. Performers shall not be permitted to share the following facilities with any members of the audience and suitable separate provision must be made;

- (i) water closet;

- (ii) washing facilities;
- 2. Performers and Audience shall not be permitted to share any smoking area
- 3. No Member of the audience shall be permitted to enter any changing area used by Performers

P. All external doors affording access to the licensed premises shall be fitted with a device to provide for their automatic closure and such device shall be maintained in good working order;

Q. The availability of relevant entertainment shall not be marketed or advertised in any of the following ways:-

- (a) by means of personal solicitation in the locality of the licensed premises;
- (b) by means of leafleting in the locality;
- (c) by means of externally displayed advertisement (such as on billboards) in any part of the Council's administrative area

R. The following shall be made available without charge to performers and the Audience:

Literature and contact names and telephone numbers of organisations that provide advice and counselling on matters relating to:-

- (i) sexual problems;
- (ii) family planning;
- (iii) sexually transmitted diseases
- (iv) rape and sexual assault.

S. (i) No telephone number, residential address, email address or other information that may facilitate further contact between performers and members of the Audience is passed from audience to performer, or vice versa; and

(ii) This prohibition shall be brought to the attention of all members of the Audience

T. (i) Performers may perform only in accordance with written contracts, which define their rights and obligations, including terms as to the nature of their performance and payment. No deduction shall be made from such payment unless permitted by the contract, and no deduction by way of penalty shall be permitted;

(ii) No relevant entertainment shall be provided by any performer unless sufficient checks have been made of documents evidencing the performer's age, identity and right to work in the United Kingdom;

(iii) Copies of all documents referred to in (i) and (ii) above shall be retained for not less than 12 months after the last provision of Relevant Entertainment by the said Performer and shall be produced to an authorised officer of the Council or a Constable upon request at any reasonable time.

U. The licensee shall exercise all due diligence and take all reasonable steps to ensure that the terms and conditions imposed on the licence are observed and complied with at all times.

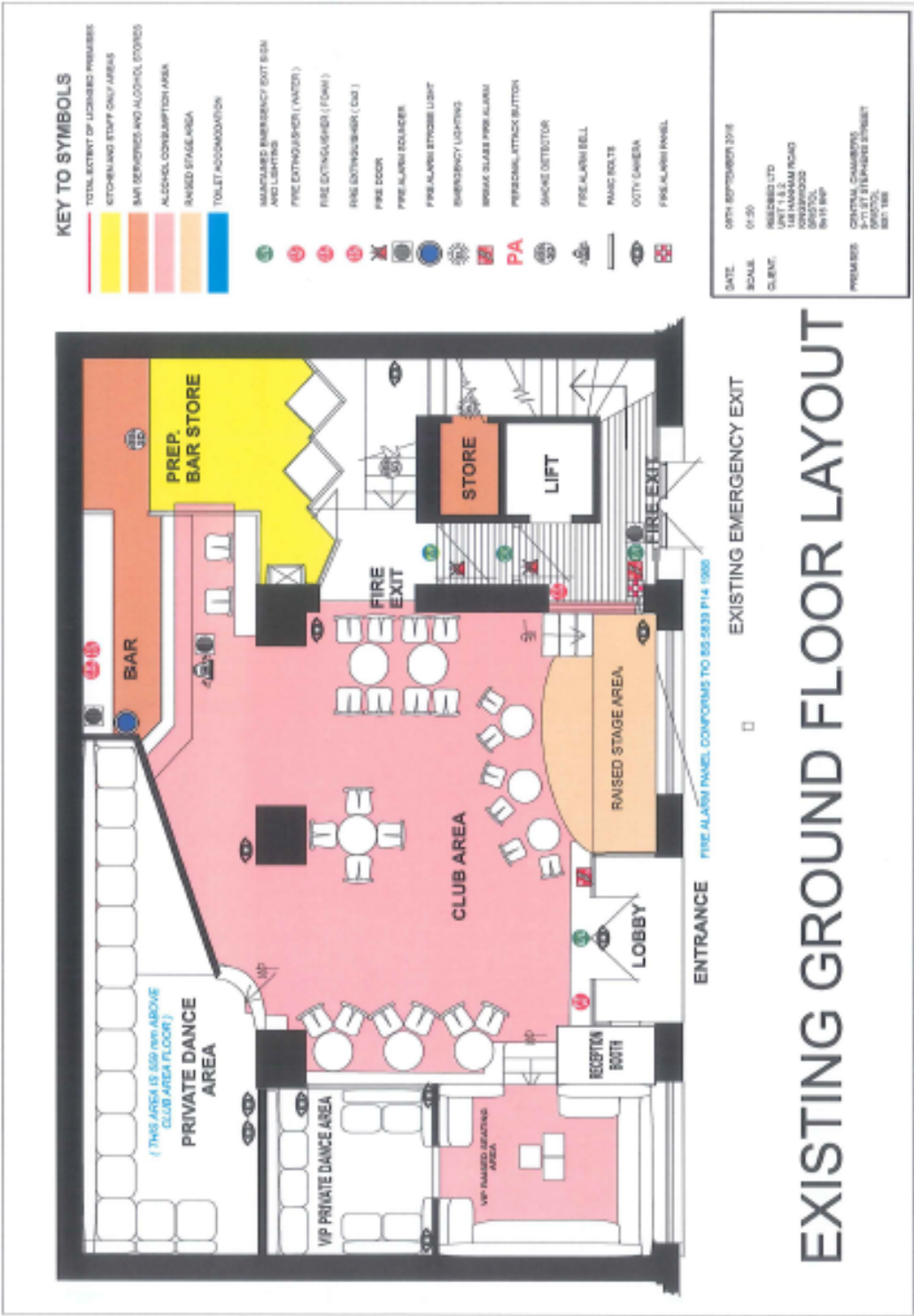


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BLACKWELL'S
www.blackwelltrapping.co.uk
TEL: 0117 926 2322
info@blackwell.co.uk







The point dancer silhouette is our registered logo.

However as discussed in 2012 this logo will not be displayed on the outside of the building.

Windows currently read

CENTRAL CHAMBERS
LATE NIGHT BAR
www.central-chambers.co.uk



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 fee's are £10pp every night of the week.
- 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 address's, 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 touches, 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 DANCERS

APPENDIX F

REEDBED LTD T/A CENTRAL CHAMBERS

9-11 ST STEPHENS STREET
BRISTOL BS1 1EE

Code Of Conduct For Dancers/Dancer Contract

- o 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 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 authorized officer of the council or a constable upon request.
- o No person shall be employed or shall perform at the premises that have unspent convictions for any relevant offence. You will be required to have a CRB check done to prove this.
- o 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 quiet and 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. The maximum house fee for each night is Sun-Thur £40, Fri £80, Sat £120. A 2 week notice will be issued for any increase in house fees.
- o 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. Unless any special promotion set by management is running.
- o 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 for fire safety. Failure to do so will result in disciplinary action.
- o When requested, you may be required to do a 'shop window' or pole dance on the stage area. The first song is performed clothed and the second topless. Dancers must do a minimum of two of these shows an evening.
- o 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.
- o Audience participation is strictly prohibited and customers must remain clothed and seated at all times during dances.
- o 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 be removed from the club immediately. Dancers who do not report such incidents shall receive disciplinary action.
- o Performance off stage is only permitted when customers are seated in the designated dance area.
- o Dancers must take payment for all dances up front but must not be in a state of undress when receiving payment. If the customer would like a follow on dance. The dancer must have her nipples and genitalia/anus covered before taking 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. There shall be no contact between the customer/dancer and between the dancer/customer. Dancers are not permitted to fondle, kiss, caress or embrace any customer. Dancers are prohibited from kissing the customer at the end of the performance on the check. Only hand to hand contact is acceptable so a hand shake or Hi Five at the end of the dance is acceptable as a thank you gesture and hand to hand payment at the start of the performance when accepting payment.

- o Husbands, boyfriends, wives, girlfriends and friends of dancers 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. This includes friends and family of dancers who have visited the club and are classed as 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 you 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 or distributing any form of 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. There is a copy of the new SEV licence in the changing rooms which must be read and understood.

A copy of this contract has to be kept by Reedbed Ltd for 12 months after the last provision of entertainment by the dancer and produced to any council official or police officer on request.

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

Print Name _____	Signature _____
Date of Birth _____	
Tax. Number _____	
Address _____	

Date Commenced _____	Date Contract Ended _____

**SUPPLEMENTARY INFORMATION IN RESPECT OF AN APPLICATION
TO RENEW A SEV LICENCE FOR CENTRAL CHAMBERS,
9-11 ST STEPHENS STREET, BRISTOL, BS1 1EE**

3. THE BUSINESS AND ITS OPERATION

- 3E The Applicant operates a Challenge 21 Policy. All customers who the Management consider to look under the age of 21 will have to produce photographic ID to prove that they are 18 years or older. The Applicant only accepts a UK Driving Licence, Passport or Prove It Card as valid forms of identification. There is a strict rule that if there is no identification there is no entry. Challenge 21 signs will be displayed at the entrance to the venue.
- 3G Management will monitor all CCTV images by way of several monitors kept behind the bar. The CCTV shall monitor the outside of the venue, inside the public bar area, inside the dance area, behind the bar, the stairs down to the toilets and also staff areas. All Management have received training on the recording system and will be able to show all authorised bodies the required images. If such authorised bodies require a copy of the images to take away with them this can be done from the premises by Management. Images will be copied on to a memory stick that the authorised bodies can take away with them. CCTV footage will be kept for a minimum of 30 days.
- 3H The proposed relevant entertainment is full nude lapdancing, full nude strip tease on stage, and fully nude live stage shows and fully nude poledancing.

4. GENERAL MANAGEMENT OF PREMISES

- 4A All dancers will be briefed on the Code of Conduct for performers by Management. Dancers will sign a declaration that they have read and understood all licence conditions and code of conduct for performers. Monitoring will be by Management and Security patrolling the dance area at regular intervals and monitoring dancers on CCTV. Enforcement will be as per our disciplinary procedure which includes two warnings and if a third offence is committed we will end the dancer's Contract at the Club.
- 4B Customers will be made aware of the Code of Conduct by means of signage and a briefing from Security before entering the premises. Monitoring will be by Management and Security patrolling the Club and monitoring images on CCTV. Customers in breach of this Code of Conduct will be asked to leave the premises. Signs will also be displayed inside the premises to remind all customers of the Code of Conduct and specifically of the no contact rule.

5. ADDITIONAL DETAILS

- 5A The Applicant has been running Central Chambers as a Lapdancing Club for over 14 years. Management are very experienced in running this type of venue and have always worked very closely with the Local Authority and Police to make sure that all terms of the Licences are met. The Applicant also goes beyond what is required of them to ensure that the premises is well run and performers and staff have a safe and enjoyable working environment.