

Bristol City Council
Minutes of the Licensing (Hearings) Sub-Committee
6 February at 12.30pm



Members Present:-

Councillors – Massey (Chair) and O'Rourke.

Officers in Attendance:-

Ashley Clark – Legal Adviser, Abigail Holman – Licensing Policy Advisor, Allison Taylor – Democratic Services

1. Election of Chair

Councillor Massey was elected Chair.

2. Welcome, Introductions and Safety Information

The Chair welcomed all parties to the hearing and requested that all parties introduce themselves.

3. Apologies for Absence

Apologies received from Councillor Shah. The Legal Advisor informed the meeting that the meeting was quorate with two members.

4. Declarations of Interest

None declared.

5. Public Forum

None received.

6. Local Government (Miscellaneous Provisions) Act 1982 Application for the Renewal of a Sexual Entertainment Venue Licence made by Reedbed Limited in respect of a premises trading as Central Chambers, 9-11, St Stephens Street, BRISTOL, BS1 1EE.

Objections.

It was noted that no objectors had attended but that the Committee would have regard to the written objections as set out in the report when making their determination. Eighty Nine objections had been received from the public and the Police had not objected.



Report

The Licensing Policy Advisor introduced the report stating that there was a presumption to grant unless there were statutory grounds for refusal as set out in the report. The applicant had not made an application to exclude the standard conditions imposed. It was noted that the mandatory grounds for refusal did not apply in this case and so the Committee would consider the discretionary grounds only.

The Council's Enforcement Team had visited the venue and found no breaches. They had also 'dip sampled' CCTV footage and found no breaches. It was noted that neither the Police or the Police and Crime Commissioner had made any comments on the application.

Finally, the Legal Advisor reminded the Committee of the requirement to have regard to the Section 149 of the Equalities Act 2010 and the mandatory and discretionary grounds for refusal as set out in the report.

Site Visit.

The following points arose from the Site Visit:-

1. Members had requested to see the House Rules and this was provided;
2. Life drawing was not a licensable activity under the definition of relevant entertainment;
3. They questioned the capacity for staff and customers;
4. Disabled access;
5. How many dancers on any one night?
6. The fire escape flooring was raised;
7. Who managed the content of the Notice Board;
8. There was no handrail at the bottom of the stairs;
9. Did the in-house TV's show any sexual imagery.

Applicant's submission

The Applicant's legal representative addressed the site visit points:

1. The capacity for Fire Risk Assessments was 150 but the maximum on any busy night would be 70;
2. The Notice Board displayed information as per Condition R – contact names and numbers for family planning, rape and sexual assault, dancer welfare, alcohol and drugs, modern slavery organisations. It also included newsletters, sexual health and hair and beauty notices;
3. The ramp access had been considered but making it accessible would be a challenge and would require it extending into the middle of the road. If a person wished to visit with accessibility requirements they were informed that Urban Tiger was fully accessible and therefore a better option. Under the building regulations and EHRC guidance this was felt to be a reasonable adjustment. A Councillor suggested that the accessibility issue could be highlighted on their website so that potential customers were informed before attending. This was agreed;
4. The lack of hand rail would be attended to immediately;



5. The life drawing classes on Saturdays were legitimate classes with a tutor always in place. They had proved popular and might be extended to Mondays. There was nudity but it was not for sexual stimulation so could not be considered relevant entertainment. There were proper changing facilities for models within a controlled environment.

The following points arose from questions:-

1. A Councillor accepted the alternative venue as a reasonable adjustment. Having read the papers she had a good understanding of how regulated the service was and was given further confidence having visited the site. She was reassured that the Notice Board was properly used;
2. The applicant's representative observed that it was a good example of how a sexual entertainment venue could work within a discreet and highly regulated way. The operators worked very hard to do this properly;
3. It was noted that the venue signage was discreet and the Church was on the other side of the street.

The applicant's representative addressed the Committee on the representations received, the discretionary grounds and equalities aspect of the applications and the following points arose:-

1. Discretionary Ground A & B – Suitability of the applicant. All the members of the management team had impeccable characters and had no convictions. The dancers were well protected, provided with decent facilities and their welfare was at the heart of management considerations;
2. Discretionary Ground C – Locality – The Council had determined that there was a demand for this regulated entertainment and set a policy number of 2 in the locality. This was one of those two venues. The external appearance was discreet – there was no tacky lighting, sexual language, touting, ability to see inside the venue from outside, limos with advertising. The impact of the footprint was therefore minimised as much as possible. The layout of the premises provided a secure area for dancers with all necessary facilities, there was comprehensive surveillance and good sight lines;
3. Equality Act 2010 – It was necessary to have regard to Section 149 of the Act but this did not trump the legislation this premises operated under as determined by Parliament as lawful.

There was no sum up.

Determination.

In reaching their decision the Committee considered all representations made and all documentation submitted. The Committee noted that this type of activity had been determined lawful by parliament, and that the mandatory grounds for refusal did not apply to this application. It also had regard to its obligations to consider the Equalities Act and Public Sector Equality Duty, and regard to its own SEV policy. The members considered each of the discretionary grounds in turn.

Discretionary grounds of refusal:

Suitability of the Applicant:

- a) The committee found that the premise is well managed, and convinced by the submissions of the applicant that rules were followed. The committee noted the absence of a police representation and therefore no reports of incidents related to the venue, and were reassured



that no breaches were found in relation to the visit undertaken by the NET officer and the dip samples done on the CCTV. The committee found no cause to refuse on this ground.

- b) The Committee was satisfied that this was a family run business and it was run for the benefit of the applicant. This ground did not therefore arise.
- c) The Committee determined to follow the policy in this respect and therefore the ground did not arise.
- d) Ground d
 - i. Character locality - The Committee was satisfied that the premises had a discreet exterior, and had little or no impact on the locality itself. Since the operation of the relevant entertainment was limited to night time only, and was contained within a discreet premises, it determined that the premises was unlikely to have an impact on the other factors which could be considered under this ground. The committee also noted that there was a nightclub almost opposite the premises which operated primarily in the night time economy and that the area was used throughout the day and night. The Committee noted there was no Police representation, or specific nuisance highlighted relating to the premises. The Committee felt there was insufficient reason to refuse on that ground.
 - ii. Use to which premises in the vicinity are put – Members noted that there were premises nearby operating in the night time economy and so the area remained a mix of both residential and daytime and night time business uses. Members did not find that there was any evidence of significant impact on crime and disorder resulting from these premises. They noted that the entrance to the nearby church was not located on St Stephens Street, as well as the Taxi Rank being located further down the centre area. Members noted that the premises remained a discreet operation, self-contained and operated in the night time economy. Members felt there was insufficient reason to refuse on this ground.
 - iii. Layout of premises – The Committee was satisfied that it was appropriate for the use to which it was put. The Committee noted that the premises was subject to ongoing improvements and maintenance and was generally kept in a good state of repair. The committee therefore found insufficient cause to refuse on this ground.

The committee had regard to the Equality Act 2010, the Public Sector Equality Duty and all the issues raised within the objections and the meeting. The public sector Equality Duty (PSED) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities.

The committee noted that no evidence had been presented with regard to nuisance or crime and disorder related to this premises. They noted that the experience and standing of the premises licence holder and management team ensured an ability to enforce codes of conduct, house rules, and conditions which was supported by the statement of the neighbourhood enforcement team. They also had regard to the statements from the dancers which stated that they felt safe and secure at the premises, and had an opportunity to earn a living from their jobs, and it was noted that the majority of staff employed were women. The committee also noted the provision of a facility for performers to be



escorted to their vehicles or public transport supporting the assertion that the premises was safe and secure for performers.

They also noted that the premises operated in a discreet manner and there was no evidence the premises had a significant negative impact on the surrounding area for the reasons given above. The committee was convinced by the statements that the environment was safe, friendly and promoted a good working environment. The committee had to have regard to this premises specifically and any evidence relating to it in making their decision.

Summary:

The Committee listened carefully to all the submissions on the day and all the written submissions from the applicant, and the objectors. It gave consideration to all the submissions, but found that there was insufficient reason not to grant. Therefore the application for renewal was granted. The renewal date would be maintained and the licence would therefore expire on 16 September 2020 and it was:-

Resolved (unanimously) – That the renewal of the Sexual Entertainment Licence for Reedbed Limited in respect of a premises trading as Central Chambers be granted for 12 months from the expiry of the last licence in September 2019, with the Licence expiring on 16 September 2020;

The meeting finished at 3pm.

CHAIR _____

