

Bristol City Council

Minutes of the Licensing (Hearings) Sub-Committee

14th April 2016 at 12.30pm



Members Present:-

Councillors Budd, Payne, Windows.

Officers in Attendance:-

Pauline Powell – Legal Advisor, Abigail Holman – Licensing Policy Advisor, Allison Taylor – Democratic Services.

1. Welcome, Introductions and Safety Information

These were made.

2. Apologies for Absence

None received.

3. Declarations of Interest

None were received.

6. Public Forum

None received.

7. Urgent Business.

The Sub-Committee's Licensing Policy Advisor asked the Sub-Committee to consider whether they were minded to accept two late objections received the previous day, and in doing so to hear from the applicant in this regard.

The applicant's legal representative stated that the application had been properly advertised and site notices displayed but he did not wish to make a big issue of this.

The Sub-Committee noted the application had been properly made but were minded to accept the late objections. These were duly made available to the Sub-Committee and to the applicant.



The Sub-Committee's Legal Advisor stated that objectors had no statutory right to be heard but the Sub-Committee had discretion on this matter and had previously allowed this. The Sub-Committee agreed to hear from the one objector who was present.

Objector 1 addressed the Sub-Committee.

The Sub-Committee's Licensing Policy Advisor reported the receipt of urgent information from the Police of a confidential nature and asked the Sub-Committee if it was minded to accept the report in a closed session of this meeting.

The Sub-Committee agreed to receive the report.

8. Exclusion of Press and Public

Resolved:- That under s.100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) 7 (respectively) of Part 1 of schedule 12A of the Act.

The Sub-Committee heard from the Police and the applicant. After questions and clarifications, the Sub-Committee resolved to return to open session.

Resolved – that the press and public be readmitted to the meeting.

9. Local Government (Miscellaneous Provisions) Act 1982 Application For The Renewal of a Sexual Entertainment Venue Licence made by Temptations T3 Ltd in respect of premises trading as Temptations T3, 46 West Street, Bristol, BS2 0BH.(agenda item no.5)

The Sub-Committee noted that the licence had been transferred to Select Money Tree.

It was reported that the Sub-Committee had visited the site that morning and had questions for the applicant arising from that visit. These were made as follows:-

- The first point of supervision was one metre inside, at the main desk;
- It was confirmed that the main dance floor could not be seen from the booth made available for those with accessibility requirements;
- A refurbishment of the inside and painting of the outside of the premises was planned;
- The showers in the performer's changing area did not work;
- The code for access to the performers' changing area was posted on a board and was visible to customers. This was because some dancer's, particularly if new to the premises, forgot the code. The Sub-Committee observed there was no point to a security code if available to the public. The applicant acknowledged this point.



The Chair asked the applicant's legal representative to address the Sub-Committee and the following points arose:-

- The application was made in identical terms from last year's application;
- The premises had previously been with another operator but licence had been transferred. This transfer had been advertised in the paper and on site and the Police were consulted. No objections to the transfer were received;
- The theme of objections was of consistent breaches but the new operator had only been in place since December 2015 and there had been no breaches or prosecutions since then;
- Some issues were identified as a result of an enforcement visit and these were all addressed. He emphasised that the operator was reactive to addressing issues and was receptive to interventions and enforcement;
- Suitability – the transfer of the licence had been granted and the Police had not objected to the operator's suitability. The owner was experienced and had operated an SEV premises in London and was well aware of the differences from a 'normal' licenced premises;
- Locality – there had been no great change. The nearby pub and shop had now closed. This was not felt to be grounds for refusal last year;
- Premises – there was limited signage outside and the windows were blacked out. The premises did not trade during periods of busy footfall ie. they were open late at night and in the early hours of the morning. There was robust CCTV footage and regular enforcement visits;
- There were no mandatory grounds for refusal in this case;
- With respect to discretionary grounds for refusal – the operator had relevant experience and no criminal convictions. The infrastructure was in place to deal with all necessary matters. The operator engaged constructively with the Council and relevant regulators;
- The Licensing Committee had previously resolved to allow 1 SEV in the Old Market locality and this was the renewal application for that 1 SEV premises;
- There were no bus stops or taxi ranks nearby. Clientele tended to come in ones or twos. The licence was for long hours but in reality it operated late at night only. The doors were self-closing and musical activity was not loud or near the door;
- The outside of the premises would be painted. The building was very plain and did not impact on the area. The layout was designed for CCTV. There were two facilities for smokers. There were changing rooms, wash facilities and toilets for performers;
- In conclusion, the licence could be renewed on the same terms as the previous renewal.

The Sub-Committee sought clarification regarding the curtain poles which were still in place at the booths despite the curtains being removed. The applicant noted this and agreed this would be addressed when refurbishment took place.

There were no further questions so all parties withdrew for the Sub-Committee to deliberate.

Resolved:- that the renewal of the Sexual Entertainment Licence for Temptations T3 be granted for 12 months from the expiry of the last licence and be subject to original conditions of the licence and the following two additional conditions:-



1. If the company, any officer of the company, or any person concerned with the management of the premises (for the avoidance of doubt this includes the manager, relief/deputy Manager and Designated Premises Supervisor for the purposes of the Licensing Act 2003) being charged with any recordable criminal offence, the licence holder shall inform the Licensing Authority as soon as is reasonably practicable and in any event within three working days.

2. The premises licence holder shall ensure that the Digi lock code, which permits access to the staff area be changed immediately and the code be kept secure and in particular not be accessible to customers or other persons not permitted access. In the event of the code being disclosed or any suspicion that the code has been disclosed to a party not authorised to possess it, the code shall be changed immediately.

The meeting finished at 2.30pm.

CHAIR _____

