

LICENSING COMMITTEE1 September 2005
(2.00pm – 2.21pm)

PRESENT: Councillor Benstead, Blencowe, Dixon, Hymans (Vice Chair), Liddle and J Rosenstiel (Chair).

FOR THE INFORMATION OF THE COUNCIL**05/m/59 MINUTES**

The minutes of the meetings on 14 April and 9 June were approved as a correct record. The minutes of the meeting of 12 May were amended to include Cllr Liddle as present and then they were agreed as a correct record.

05/m/60 APOLOGIES

None.

05/m/61 DECLARATIONS OF INTEREST

None.

**05/m/62 PUBLIC ENTERTAINMENT LICENCE (RENEWAL & VARIATION) –
CELLAR BAR 8**

The applicant was present.

The Head of Environmental Services (HES) presented the report. He recommended that an additional condition be added that repeated the condition on the existing licence about stewarding.

The members raised issues of clarification on the Proposed Conditions of Licence with regard to lap, table or pole dancing as outlined in appendix B as these were new to the committee.

Resolved

To approve, subject to the following conditions:

1. This is a licence until the 24th November 2005.
2. Events may be held on Tuesday – Saturday, between 8.00 p.m. and 11.00 p.m. and on Sunday between 8.00 p.m. and 10.30 p.m.
3. Events shall only be held in the main basement area.
4. All external doors and windows shall be kept shut at all times during

performances, apart from the main entrance / exit door, that allows general ingress and egress, which shall be kept closed so far as reasonably practicable during events.

5. One fire safety steward to be present.
6. Numbers admitted - 130
7. Number of Exits: 3. The roller shutter at the side exit must be locked up in the open position when the premises is occupied.
8. Emergency Lighting:

Maintained illuminated fire exit notices and other non-maintained units throughout the premises.
9. Fire Fighting Equipment:
1 x 6 Litre AFFF extinguisher behind bar.
1 x 2 Kg Co2 extinguisher adjacent to any band/disco.
10. When exotic dancing is taking place, the special conditions for exotic dancing shall apply (See Appendix B attached)
11. A scheme of stewarding as agreed by the Police shall be operated at all times when events are held.

CHAIR



Public Entertainment - Exotic Dancing

Proposed Conditions of Licence

Special Conditions to be attached to Public Entertainment Licences licensed premises provide entertainment in the form of lap, table or pole dancing.

The Licensee

1. The Licensee shall at all times conduct the premises in a decent, sober and orderly manner. In particular the Licensee shall take whatever steps are necessary to ensure that none of the following takes place:
 - (a) Indecent behaviour including sexual intercourse;
 - (b) The offer of any sexual or other indecent service for reward;
 - (c) Unlawful possession and/or supply of drugs controlled by the Misuse of Drugs Act 1971;
 - (d) Any acts of violence against persons or property and/or the attempt or threat of such act likely to cause a breach of the peace.

The Premises

2. CCTV shall be installed, maintained and operated to the satisfaction of the Council, to cover all areas where dancing takes place. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 28 days with time and date stamping.
3. Tape recordings shall be kept secure and shall be made available to an Authorised Officer of the Council or a Police Officer, on request.
4. No person shall take any video recordings or photographs of the authorised entertainment. Notices to this effect shall be clearly displayed within the venue.
5. There must be no display outside the premises of photographs or other images which indicate that entertainment involving nudity or sexual performances takes place on the premises.
6. Entertainment, including dancing, which involves nudity or sexual performances of any kind must not be visible from outside the premises.
7. Performers shall be provided with separate dressing/changing rooms, which shall be located so as to be separate and apart from the public facilities.
8. No person other than performers and authorised staff shall be permitted in the dressing/changing rooms.
9. Safe and controlled access to the dressing rooms for performers must be maintained at all

- times. A nominated person should monitor and supervise the performers' dressing/changing rooms.
10. Dressing/changing rooms are to include make-up lighting, mirrors and seating.
 11. A curtain or similar such screen shall be provided so as to maintain privacy at all times when the dressing/changing room door is opened.
 12. There shall be adequate licensed door supervisors in attendance on the premises when such entertainment is taking place. Of these door supervisors, at least one shall be female. Door supervisors shall be positioned at all entrances to the premises throughout the performance and shall be present in the room in which the performance takes place.
 13. All persons working as door supervisors must be approved and licensed by the Security Industry Authority (SIA). The Council will not normally consider the Licensee or the designated Premises Supervisor to be a door supervisor.

Performers

14. Performers shall be aged not less than 18 years.
15. No performer shall be allowed to work if, in the judgement of the Management, they appear to be intoxicated, or under the influence of illegal substances.
16. No performance shall involve the use of sex articles (as defined in the Local Government (Miscellaneous Provisions) Act 1982).
17. Performers shall not use any props or clothing in the Act which portrays them as a minor.
18. When making their way from the dressing/changing room to the dance area each performer will be robed. They will also be accompanied into the dance area by a licensed door supervisor. On the journey from the dance area to the dressing/changing room they will be robed and accompanied by a licensed door supervisor.
19. There shall be no physical contact between customers and the dancers except for the placing of gratuities into the hands or garter of the dancer at the beginning or conclusion of a performance. Whilst the dancers are performing there shall be a minimum distance of 80cm between the dancer and the seated customers.
20. Garters worn for the collection of gratuities shall be situated no higher than mid thigh.
21. Performers providing either table or lap dancing performances are to remain standing throughout the performance of the dance.
22. There shall be no table or lap dance performances given to customers seated or standing at a bar.
23. Dancers shall re-dress at the conclusion of the performance and are to remain fully clothed (minimum bikini top and bottom) at all times except when giving a performance.
24. The Licensee, Designated Premises Supervisor or a licensed door supervisor will immediately deal with any report of contact, misconduct or provocation by a customer or a dancer.

General

25. Whilst the agreed activities are taking place, no person under the age of 18 shall be allowed onto that part of the premises and a clear notice shall be displayed at each entrance to the

premises in a prominent position so that it can be easily read by persons entering the premises on the following terms:

“No person under 18 years will be admitted”.

26. No customer shall be admitted to the premises or allowed to remain in the dance area if, in the judgement of the management, they appear to be intoxicated or under the influence of illegal substances.
27. Customers shall remain seated at all times whilst in the dance area, other than when they arrive, depart, visit the toilet or go to the bar.
28. Dance entertainment shall be given only by performers/entertainers who are engaged exclusively for that purpose and have been provided with a copy of the Performance Code of Conduct by the Licensee. Audience participation shall not be permitted.
29. No persons other than dancers shall be in the dance area in a state of undress.
30. Dance entertainment shall only be performed in the area of the club as marked on the plans deposited with the Licensing Authority.
31. Customers shall not proposition performers or behave in a disorderly manner. Offenders must be removed from the premises. Appropriate notices stating these 'house rules' shall be displayed in prominent positions throughout the premises.
32. No telephone number, address or information leading to any further meeting may be passed from customer to performer or vice versa.
33. If performers are invited to have a drink with a customer the performer shall remain fully clothed during this period. Performers shall not be paid commission on the sale of beverages.
34. On leaving the premises performers shall be escorted to their transport by a registered door supervisor.
35. A clear copy of these conditions shall be exhibited at all times in or near the performers' dressing/changing rooms. These conditions shall be protected against theft, vandalism or defacement.
36. The Licensee is to ensure that prior to engagement, all performers provide documents proving that they are over 18 years of age and documents proving that they are legally entitled to work in the UK. Such documents are to be copied and retained on the performer's file.
37. All performer files are to be retained for a period of six months after engagement, and made available to the statutory authorities upon request if required for investigative purposes.
38. Where the Licensee employs performers from an agency, the performers must still provide the relevant documentation as required in the condition above. Details of agencies providing performers are to be made available to the statutory authorities upon request.