

LICENSING COMMITTEE6 February 2006
(3.30pm – 4.30pm)

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

FOR THE INFORMATION OF THE COUNCIL06/m/01 **MINUTES**

The minutes of the meeting on 1 September 2005 were approved as a correct record.

06/m/02 **APOLOGIES**

None.

06/m/03 **DECLARATIONS OF INTEREST**

None.

06/m/04 **LICENSING OF TRISHAWS FOR WORK IN CAMBRIDGE AS HACKNEY CARRIAGES**

The Committee considered a request from Mr Christoph Fitih to operate a fleet of trishaw cycles as hackney carriages in Cambridge City and to consider the practical application and or need for amendment of the current conditions.

The report by the officers set out the background, the key issues, possible fare structure and the disabled access issues. They noted that whilst there were a considerable number of issues where both sides of the trade and officers were in agreement; there were four significant areas where there were difficulties, namely, fares, disabled access, ranks and transponder access points to the central area.

Members were asked to consider the issues in sections 4, 5, 6 and 7 and Appendix E and F of the report carefully to come to a balanced and equitable conclusion to these issues. Appendix G contained details of a number of questions asked by the Chair of the Transport Select Committee of the Solicitor General, the Secretary of State for Transport and the Secretary of State for the Home Department and the answers to those questions.

Resolved

- 1 To licence trishaws as hackney carriages subject to the agreed conditions in paragraph 4.2 of the report and as appropriate conditions from the sections 5,6 and 7 as identified and detailed in this report in Appendix B, specifically:
 - paragraphs 5.2 (a) - (k) and 5.3 (1) - (12), subject to the amendment of the wording of condition 5.2g to indicate that the Public Liability Insurance condition relates to the

proprietor's licence only.

- maximum fares for trishaws as £6.50 per half an hour or part thereof.
- disabled access conditions as set out in 7.7 and the informative in 7.6.
- the principal of no rank provision for trishaws apart from the daytime use of the Market square rank.
- to take no further action on transponders other than the Licensing Officer offering advice to applicants.

2 To review these changes after 12 months of operation.

3 To ask the Head of Environment Services to write to the Department for Transport to ask them to amend or clarify the legal position for trishaws.

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 judgment 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 judgment 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.