

**LICENSING COMMITTEE
SEXUAL ENTERTAINMENT VENUES WORKING GROUP**

15TH OCTOBER 2010

PRESENT Councillor Armitage

IN ATTENDANCE

S Holden – Principal Project Officer
P Carville – Principal Licensing Officer, Entertainment Licensing
R Des Forges - Solicitor
S Kennedy – Principal Liaison & Enforcement Officer, Entertainment Licensing
N Raper – Section Head, Entertainment Licensing
H Gray - Clerk

APOLOGIES Councillors Grayshon and Wilson

13 WELCOMES AND INTRODUCTIONS

Councillor Armitage welcomed all present and noted absences and receipt of apologies.

14 MINUTES

AGREED – The minutes of the previous WG meeting on 3rd September 2010 were agreed as a correct record

15 TIMETABLE/PROJECT PLAN

Noted the previously agreed timetable

Overall:

- To undertake discussions with the experts at an early stage – completed
- To commit to undertaking a site visit
- To request officers secure a copy of the Dispatches DVD
- To draft a policy prior to going out to public consultation - ongoing

Short Term

- To request a map showing the location of existing LD Clubs currently licensed under the LA 2003 in Leeds – completed
- To place emphasis on regulation of LD Clubs in the first instance - completed

Long Term:

- Public consultation period January to March 2011

Noted the following amendments to the timetable

- Public consultation now proposed for March to May 2011
- Adoption by full Council proposed for July 2011
- Sub Committee hearings likely to commence January 2012

Agreed the following additions to the timetable

- To agree to meet with the trade to discuss the draft policy prior to the public consultation.
- Briefings/seminars be arranged with accompanying note for all Members of Council on the Policy prior to the public consultation period

- Officers to engage with Area Committees during the public consultation period

The WG discussed whether it was necessary to report to Scrutiny during the process of drafting the Policy and considered:

- All 99 Members would be consulted throughout the consultation process, via direct contact, group briefings, the LCC website and Area Committees
- This would provide them ample opportunity to respond and/or raise issues
- Engagement with the trade at an early stage would afford the trade an early opportunity to comment and discuss initial proposals
- These measures would provide a robust framework for the Policy should any party choose to scrutinise it at a later date.

The WG considered that, subject to legal advice, it was not necessary to engage Scrutiny in the process

16 POLICY DEVELOPMENT - LICENSING OF SEX ESTABLISHMENTS – STATEMENT OF LICENSING POLICY

The Principal Project Officer tabled a draft copy of the Statement of Licensing Policy in respect of the Licensing of Sex Establishments for discussion.

The Policy contained 9 Sections, based on the approach to previous Policy Statements drawn up for the LA2003 and GA2005. It was accepted that the various Sections would be refined in due course.

The WG discussed in detail:

Section 7 – General Principles

- Whether each application would be determined on its own merit or whether the City would set a limit for the number of lap dancing clubs in the City. The WG considered the merits and challenges associated with each of the options
- The WG noted that paragraph 7:14 of proposed the Policy included reference to “discretionary grounds” for the refusal of an application and requested the following issues be included:
 - Culturally sensitive areas,
 - Proximity to premises regarded as sensitive – such as schools, churches

AGREED –

(a) The WG agreed that each application should be considered on its own merit, having regard to the completed Policy

(b) The WG agreed that para 7:14 should be amended to include reference to culturally sensitive areas and proximity to sensitive premises as detailed above

The WG then considered the proposed conditions to be attached to the Licences:

Appendix 1 – Pool of Conditions

Proposed Standard Conditions for Sexual Entertainment Venues

6	To amend to read “All rules (customer conduct, <i>code of conduct for entertainers</i> , dispersal policies etc) to be prominently displayed on the premises”
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15	Needs to be clearer for enforcement purposes regarding the style of payment. Will patrons continue to be allowed to place money on the person of the entertainer?
16	The 1m distance rule is a safety measure. The practicalities of this will be discussed with the trade
17	Noted the conditions would allow performers to remove ALL clothes
20	To amend to read " <i>The taking of photographs (and visual film footage) is not permitted on the premises (during operating hours)</i> "
	External appearance
21	Poster display prohibiting U18's. Each club would be required to display the same wording in a uniform style Appropriate measurements/colours to be discussed
22	External signage/display to be strictly controlled. Appropriate measurements/colours of signage to be discussed. Request an image of the premises in the streetscene with the proposed external display superimposed. Consider appropriate "brand name" for the clubs – all will be required to display this to give an indication of the entertainment within but to differentiate from other clubs. The phrase " <i>gentlemen's club</i> " was discussed.
23	Advertisement – discussed the need for policy guidance on this issue particularly Commented that a uniform approach to advertisement/window display was in danger of sanitising the appearance of the clubs. Advertisement could be displayed within the lobby area. LCC will condition submission of an internal layout plan and any changes to the layout will require permission from the authority (refer to Condition 28) The Guidance to make reference to "advertising material" which was intended to encompass leaflets, flyers and stickers
	Management of the premises
32	Guidance required on the implications of a "body corporate" or an "incorporated body" as the premises operator
35&36	To amend to refer to condition 21 (not 17) To amend 36 to reflect the wording of the LA 2003 "people under the age of 25 will be required to show <i>acceptable forms of ID</i> "
	Safety & Security
39	To amend to reflect the wording of the standard CCTV conditions used under LA 2003.
41	To note the proposed abolition of the SIA. Replacement arrangements would need to be reflected. To amend to "Suitable numbers of SIA registered doorstaff ... <i>will be on duty</i> on the premises..."
	Dancers Welfare
42 - 45	Noted these were included in response to the previous SEV WG discussions.
	Vessels, stalls and vehicles
46	Requires clarity to ensure the use of stretch limousines is included

47	Relates to the car/vehicle livery. This condition would control the manner in which vehicles advertised the venue
48	Commented that this condition would control the manner in which customers were picked up and transported to the venue, if LCC Taxi & Private Hire Licensing could not Noted the public consultation period would conclude in May 2011 which should provide LCC T&PHL time to consider appropriate controls
	Noted that the vehicles could be the operators own private vehicle – and therefore not necessarily covered by the conditions on the licence re: advertisement or rules about passengers. Considered seeking information from Westminster Council on how these issues dealt with there

Proposed Standard Conditions for Sex Shops

	External Appearance
	This section to be renamed “ <i>Standard Conditions/Advertising</i> ”
	The term “advertising” to encompass advertising on the radio as well as newspapers and billboards
	To include an additional condition preventing the use of camcorders on the premises

Proposed Standard Conditions for Sex Cinemas – Noted

Appendix 2 – the Application Forms & Notices

AGREED – To note the draft application forms and notices

17 FUTURE MEETING DATES

AGREED

Friday 26th November 2010 at 10.00 am in the Civic Hall, Leeds

Thursday 13th January 2010 at 2.00 pm in the Civic Hall, Leeds