

Licensing Sub Committee D - 23 June 2015

Minutes of the meeting of the Licensing Sub Committee D held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 23 June 2015 at 6.30 pm.

Present: **Councillors:** Flora Williamson (Chair), Alex Diner and Nick Wayne

Councillor Flora Williamson in the Chair

54 INTRODUCTIONS AND PROCEDURE (Item A1)

Councillor Flora Williamson welcomed everyone to the meeting and officers and members introduced themselves. The procedure for the conduct of the meeting was outlined and those present were informed that the procedure was detailed in the papers.

55 APOLOGIES FOR ABSENCE (Item A2)

Apologies for absence were received from Councillors Gill and Erdogan.

56 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

Councillor Diner substituted for Councillor Gill and Councillor Wayne substituted for Councillor Erdogan.

57 DECLARATIONS OF INTEREST (Item A4)

None.

58 ORDER OF BUSINESS (Item A5)

The order of business was as the agenda.

59 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED

That the minutes of the meeting held on the 23 April 2015 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

60 THE FLYING SCOTSMAN, 2-4 CALEDONIAN ROAD, N1 9DT - SEXUAL ESTABLISHMENT LICENCE APPLICATION (Item B1)

The applicant reported that they had submitted a planning application to redevelop the business and create a gastro venue. In the meantime, it was necessary to keep trading in order to meet the cost of redevelopment. The premises were Grade 2 listed and obtaining planning consent was taking longer than anticipated. Facilities had been improved over the past six years and money had been invested in the premises.

In response to questions it was noted that it would be more profitable if planning permission was received, however it may be necessary to use the current structure if there was a long delay. The applicant reported that incidents have been reduced over the years. The area had previously been a drug area. They had an SIA trained supervisor on site and they worked closely with the police and the licensing team. £24,000 had been spent on CCTV. Football crowds were the greatest problem. A formal risk assessment was carried out annually and one was also carried out weekly to review the bookings that week. There was also a quarterly audit. This was a very small premises and it was considered that only one door staff member was sufficient. Upgrades had been made to the facilities for performers

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which now included changing rooms and toilets. Performers had a point of liaison. There were alternative exits and CCTV was managed by the reception area 24 hourly. Performers had an induction process. An agency supplied the dancers. Cash was used and not credit card. They were looking to have two trained SIA registered staff. They did not want door staff to have a big visual presence as they considered this could be inflammatory. It was expected that by next year there would be a change in their operation. Staff were trained to manage clientele. Football fans were not allowed to chant or to block the pavement. Crowds were not a problem except on match days and this was not an issue related to sexual entertainment. The Sub-Committee noted that there were no SIA staff inside the premises but there were signs up regarding the performers and if there were any problems the door staff would be called. Staff were experienced and were trained to deal with issues. There were not usually any problems. The most difficult problem to control were customers using mobile phones to take photos of performers. Situations were managed before they became a problem. The premises were usually quiet except on Fridays and Saturdays and there were less problems here than at other public houses in the area. Football crowds would always be an issue.

RESOLVED

- a) That the application for the renewal of a sex establishment licence in respect of The Flying Scotsman, 2-4 Caledonian Road, N1 be granted.
- b) That the conditions of the previous licence shall be applied to the licence with the following addition.
 - That the SEV risk assessment be sent to the licensing team for inspection.

REASONS FOR DECISION

The Sub-Committee considered the written and oral submissions put forward by the applicant. The Sub-Committee heard evidence that the applicant's long term strategy was to remove sexual entertainment from the venue but that there were currently issues with planning and that the applicant needed the revenue to continue until the planning issues were resolved. The Sub-Committee also heard evidence that a risk assessment was reviewed annually and that there was a quarterly audit by Head Office. There was also a weekly risk assessment particularly in relation to local football matches. The Sub-Committee heard evidence that an extra member of staff was being trained to SIA standards.

The Sub-Committee noted that this was a renewal application and was satisfied that the applicant had demonstrated high standards of management, a management structure capable of operating the venue and the ability to adhere to the standard conditions for sex establishments.

The Sub-Committee noted that the licensing authority had not received any complaints about the venue and the police had not made any representations.

The Sub-Committee noted the representations from local residents in relation to patrons congregating outside the premises but considered that this would be addressed by the additional SIA qualified member of staff.

The Sub-Committee considered that it was appropriate to attach the authority's standard conditions for sexual entertainment venues to the grant of the licence with the previously agreed condition and with the additional condition detailed above. The Sub-Committee had concerns regarding the welfare of the performers and was satisfied that the additional condition would address these concerns.

61

FYEO, 23 CITY ROAD, EC1Y 1AG - SEXUAL ESTABLISHMENT LICENCE APPLICATION (Item B2)

The licensing officer reported that a special treatment licence for this premises had been granted on Monday 15 June.

The applicant reported that this was a luxurious purpose built premises. There were no dimly lit booths. Tesco and Travelodge had put in testimonials stating that they had no problems with the premises. Noise disturbance was not an issue with this site. Customers used the City Road entrance. Taxis were brought to the door for customers and performers. Customers waited inside the premises to ensure no noise disturbance. If dancers brought cars they would be escorted to their vehicles by a member of staff. This was not a residential area. This was a licence renewal. The premises had a high standard of management. There had been no complaints and no responsible authority objections. There were suitable facilities for customers and dancers.

In response to questions it was noted that the deputy and general manager liaised with the dancers if there were any issues. All dancers were taken through an induction process and a meeting was held with the dancers on a monthly basis. There were four door staff to approximately 60-80 customers; one outside, two inside and one checking the booths. Bookings were reviewed weekly to ensure the correct number of door supervisors were employed. Facilities for dancers had been maintained, there was an induction held on a regular basis and dancers had stylists. The venue was for over 18s but Challenge 21 was operated. A general risk assessment was carried out every six months. A minimum of two door supervisors were employed. The applicants had applied for a new licence for a similar venue in Twickenham. Twickenham had a nil policy and the licence had not been granted. It was noted that there was a trained masseuse on the premises, registered with the Authority. She wore a uniform and it was quite clear that she acted as a masseuse and was not a dancer.

RESOLVED

- a) That the application for the renewal of a sex establishment licence in respect of For Your Eyes Only, 23 City Road, EC1Y 1AG be granted.
- b) That the conditions of the previous licence shall be applied to the licence.

REASONS FOR DECISION

The Sub-Committee considered the written and oral submissions put forward by the applicant. The Sub-Committee heard evidence that the premises were a purpose built venue. The Sub-Committee noted that the licensing authority had not received any complaints about the venue and the police had not made any representations. Performers were escorted to car or a taxi and customers also remain in the venue whilst awaiting taxis to minimise disturbance. The Sub-Committee noted the letters from Tesco and the nearby Travelodge in support. The Sub-Committee noted that at busy periods four SIA staff were employed, one of whom specifically patrols the private booths. The Sub-Committee heard evidence that, as well as weekly risk assessments, a general risk assessment was undertaken every six months. The Sub-Committee noted that the masseuse employed at the premises was qualified and registered with the Authority and completely separate from the performers.

The Sub-Committee was satisfied, that in accordance with the Authority's policy, the applicant demonstrated high standards of management, a management structure capable of operating the venue and the ability to adhere to the standard conditions for sex establishments.

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The Sub-Committee noted that the objection was made in relation to the renewal application for a special treatment licence which came before the Licensing Regulatory Committee on the 15 June 2015 and was granted.

The Sub-Committee considered that it was appropriate to attach the authority's standard conditions for sexual entertainment venues and the previously agreed additional condition, to the grant of the licence.

The meeting ended at 8.00 pm

CHAIR