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Licensing Sub Committee (Miscellaneous)

Tuesday 8 September 2009

PRESENT:

Councillor Mrs Bowyer, in the Chair.
Councillor Delbridge, Vice Chair.
Councillor Mrs Nicholson.

Apologies for absence: Councillor Kerswell

The meeting started at 10.00 am and finished at 1.15 pm.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

1. APPOINTMENT OF CHAIR AND VICE-CHAIR

Resolved that Councillor Mrs Bowyer is appointed as Chair and Councillor Delbridge is appointed as Vice Chair for this meeting.

2. DECLARATIONS OF INTEREST

There were no declarations of interest made by Members in accordance with the code of conduct.

3. CHAIR'S URGENT BUSINESS

There were no items of Chair's urgent business.

4. REVIEW OF PREMISES LICENCE - T2, 6 - 8 UNION STREET, PLYMOUTH

The Committee having –

- (i) heard from a representative from Devon and Cornwall Police that –
 - a) the Police had requested the review following an alleged lack of control by the designated premises supervisor and door supervisors, and breach of the conditions attached to the licence;
 - b) additional conditions had been requested by Devon and Cornwall Police for inclusion on the premises licence;
- (ii) heard from the premises licence holders legal representative that –
 - a) the manager / designated premises supervisor had been on maternity leave since February 2009 and the day to day management of the premises was undertaken by the assistant manager;
 - b) performers were disciplined with fines and dismissal for misconduct;
 - c) the premises had operated in Union Street for about five and half years and the management was unaware of any complaints about the operation of the premise as it had an excellent reputation; it was said to be run by an experienced management team;

- d) the performers identified in the CCTV footage have had their contracts terminated and a record of breaches by performers was now maintained;
 - e) interviews would no longer be carried out by Mr Tucker but would be performed by the designated premises supervisor or her deputy; this is to ensure all performers are aware of what they can and cannot do;
 - f) customers were advised by security staff on entry to the premises and also by the dancers at the commencement of the performance that physical contact was strictly forbidden and must not take place;
 - g) staffing levels on busy nights had been reviewed; security staff had been re-trained in the monitoring of CCTV and management supervision had been increased;
 - h) performers were seen by the designated premises supervisor and/or her deputy at the beginning of their shift and are verbally reminded of the rules;
 - i) an additional manager was being engaged and trained to ensure two management personnel would be at the premises;
 - j) a director would attend the premises at least once per session to ensure that all monitoring and supervision is in place;
- (iii) heard from the premises licence holder;
 - (iv) heard from the designated premises supervisor;
 - (v) heard from the assistant manager of the premises;
 - (vi) heard from the premises licence holder's witnesses;
 - (vii) considered the report from the Director for Community Services;

Having taken into account all the relevant representations made, the members have resolved to modify the conditions of the licence by adding a further five conditions:

- (1) the CCTV system covering the areas where performances take place are to be continually monitored by nominated staff and supervised by the duty manager during performances;
- (2) all customers are to be advised on entry to the premises that there is an absolute prohibition against any physical contact between the dancers and customers;
- (3) literature is to be available in other languages to inform foreign nationals of the absolute prohibition against any physical contact between the dancers and customers;
- (4) all performers are to be seen by a nominated person at the commencement of their shift and they are to sign to confirm they have been verbally reminded of the absolute prohibition against any physical contact between the dancers and customers;
- (5) maintain a record of any breaches of the licensing condition against the absolute prohibition against any physical contact between the dancers and customers with a summary of the action taken. This is to be made available to the Police/ Licensing Officer upon request.

5. **MRS MARGARET WILLIAMS - TRANSFER OF PREMISES LICENCE - VARY LICENCE TO SPECIFY INDIVIDUAL AS PREMISES SUPERVISOR**

The Committee having heard a request from a representative of the Devon and Cornwall Police to adjourn the meeting until a related licence had been dealt with at the Magistrates Court, resolved to adjourn for 2 months.

6. **EXEMPT BUSINESS**

There were no items of exempt business.

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