

## **LICENSING SUB-COMMITTEE 4**

Tuesday 7<sup>th</sup> February, 2012 at 10.20 am  
in the Council Chamber, The Council House, Dudley

### **PRESENT:-**

Councillor Taylor (Chairman)  
Councillors Mrs Aston and Mrs Roberts.

### **Officers: -**

Mr R Clark (Legal Advisor), Mrs J Elliott (Licensing Officer) and Mrs K Taylor – All Directorate of Corporate Resources.

### **Also in Attendance: -**

For Agenda Items 5 and 6 – four members of the public.

## 12 **APOLOGY FOR ABSENCE**

An apology for absence from the meeting was received on behalf of Councillor A. Finch.

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## 13 **APPOINTMENT OF SUBSTITUTE MEMBER**

It was noted that Councillor Mrs Aston had been appointed as a substitute member for Councillor A Finch for this meeting of the Sub-Committee only.

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## 14 **DECLARATIONS OF INTEREST**

No Member made a declaration of interest in accordance with the Members' Code of Conduct.

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## 15 **MINUTES**

### **RESOLVED**

That the minutes of the meeting of the Sub-Committee held on 22<sup>nd</sup> November, 2011, be approved as a correct record and signed.

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16

APPLICATION FOR HOUSE TO HOUSE COLLECTIONS LICENCE –  
TREATING CHILDREN WITH CANCER

A report of the Director of Corporate Resources was submitted on an application for the grant of a House to House Collections Licence in respect of Treating Children with Cancer.

It was noted that the applicant was not in attendance at the meeting.

The Licensing Officer confirmed that a letter notifying the applicant of the meeting was sent on 20<sup>th</sup> January, but that no contact had been received.

In the absence of the applicant it was

RESOLVED

That the application for the grant of a House to House Collections Licence in respect of Treating Children with Cancer be deferred to a future meeting of the Sub-Committee when the applicant shall attend the meeting and prior to that meeting supply the information contained in Section 2 a and b of the House to House Collections Act, 1939, and that should the applicant fail to attend the Sub-Committee the application be heard in his absence.

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17

APPLICATION FOR SEXUAL ENTERTAINMENT VENUE LICENCE –  
FIRST FLOOR STOURBRIDGE ACADEMY, 27-29 HAGLEY ROAD,  
STOURBRIDGE

A report of the Director of Corporate Resources was submitted on an application for the grant of a sexual entertainment venue licence in respect of the premises, First Floor Stourbridge Academy, 27-29 Hagley Road, Stourbridge.

Mr R Bishton, the Designated Premises Supervisor, Mr H Thomas, Solicitor, Mr P Morrison, the Operator of Stourbridge Academy and Ms O'Shay, Manager of Stourbridge Academy were in attendance.

Following introductions, the Licensing Officer presented the report on behalf of the Council.

Mr Thomas outlined modifications that had been made to the plan of the premises and circulated the premises rules and conditions.

Mr Thomas stated that the applicant had submitted the application and that notices had been displayed in both a Newspaper and on the premises in accordance with statutory requirements.

He referred to the Home Office guidance and confirmed that there had been no observations or objections received by the West Midlands Police or residents in regard to the premises or application. There were also no concerns raised in regard to the propriety and integrity of the management.

Mr Thomas then presented his case on behalf of the applicant, and in doing so gave submissions in accordance with Section 12 of Schedule 3 of 1982 Act, in particular the mandatory and discretionary grounds for refusal of the application.

Mr Thomas confirmed that the company had not been disqualified from holding a licence and had not been previously refused a grant or renewal of a licence for the premises. He further stated that the company had been incorporated in the United Kingdom.

He referred to another sexual entertainment venue in Stourbridge which had ceased operation; therefore there was no longer competition in the area.

He then confirmed that the applicant had not been convicted of an offence or for any other reason, and reported that Mr Morrison (now proprietor of the premises) had undertaken training and currently held a Security Authority Licence. Mr Bishton and Ms O'Shay had both undertaken a Premises Licence Holders qualification.

Mr Thomas provided a background of Mr Bishton's and Mr Morrison's vast experience in the industry and referred to the premises rules and conditions which had been submitted earlier in the meeting, in particular to the safety measures that had been implemented.

He explained that panic alarms and CCTV had been installed in all private booths, and that the entrance to the premises, which was located on the second floor, was separate to that of the ground floor.

It was reported that identification would be requested from those persons who appeared to be under the age of eighteen, notices would be displayed on both floors of the premises and there would be a dress code.

It was confirmed that there would be three security staff who currently supervised the ground floor.

Mr Thomas reported that all parties had agreed to comply with the conditions submitted and that they had been compiled in accordance with Council Regulations.

Mr Thomas further confirmed that the applicants would be operating the premises themselves, and that the applicants showed managerial competence which had been displayed through training and experience gained.

It was also confirmed that 2 out of the 3 managers present today would be at the premises on a daily basis.

It was further noted that all members of staff had received appropriate training; CCTV systems had been installed on the advice of West Midlands Police including a separate room displaying all CCTV cameras monitored by a Security Operator.

Mr Thomas stated that there would be toilet monitors in both the ladies and gentlemen toilets, and that the rates charged would be advertised throughout the premises in order to be transparent.

Mr Thomas reported that the dancers employed by the premises would have the facility of a staff changing room, where the route and area would be monitored and protected. They would also receive free refreshments and would be requested to lock any belongings in a locker.

It was stated that the applicants had agreed a contract with a local taxi company to meet the dancers at the end of their shift and be escorted to the cars safely.

Mr Thomas confirmed that there are two female managers at the premises who would be able to support the female dancers in order to meet their physical and emotional demands.

Reference was made to the Dancers Application for Licence to Dance which had been attached to the rules and conditions of the premises. Applicants were required to submit a photo and relevant identification such as passport or a driving licence. Copies of the files would be maintained in individual files.

Mr Thomas stated that in order to protect the public, transparency would be shown in displaying all charges around the premises, and that solicitation and exchanging telephone numbers would not be tolerated.

He also confirmed that the applicants had not applied for the licence for the benefit of a person, other than themselves.

He further stated that the application was appropriate in regard to the character of the locality as the premises was not within 1500 metres of a hospital; parks; residential area; schools / colleges or in the vicinity of a place of worship.

It was noted that the premises would operate between the hours of 9pm and 4am.

Following Mr Thomas' submissions, the applicants agreed that the information presented had been correct.

In responding to a question from the Chairman, Mr Thomas confirmed that if Ms O'Shay was not present at the premises then another female manager would be present.

The Chairman stated that it was important that the operating schedule and conditions be adhered to.

Following comments, the Legal Advisor stated that the Sub-Committee would determine the application made on the behalf of Mr Bishton on the thorough information and comments made at the meeting.

The parties then withdrew from the meeting in order to enable the Sub-Committee to determine the application.

The Sub-Committee, having made their decision, invited the parties to return and the Chairman then outlined the decision.

#### RESOLVED

That the application for the grant of a sexual entertainment venue licence in respect of the premises, First Floor Stourbridge Academy, 27-29 Hagley Road, Stourbridge be approved.

#### REASON FOR DECISION

Having heard all of the submissions from the applicant, in accordance with Section 12 of Schedule 3 of 1982 Act, and the Home Office Guidance in particular, the Sub-Committee is satisfied that there are no grounds to refuse the application for a sexual entertainment venue licence to the Stourbridge Academy.

The Sub-Committee notes that the applicant accepts the standard conditions required by the licensing authority and that indeed, its own policies and procedures comply with these conditions.

The application is therefore granted.

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The meeting ended at 11.40 am

CHAIRMAN

LSBC4/21