



Licensing Committee

16:30 to 18:10

01 December 2022

Present: Councillors Stutely (chair), Catt, Davis, Grahame, Kidman, Peek and Price

Apologies: Councillors Ackroyd, Brociek-Coulton, Fulton-McAlister (E), Huntley, Sands (S) and Schmierer

1. Declarations of interest

There were no declarations of interest.

2. Public Questions/Petitions

There were no public questions or petitions.

3. Appointment of vice-chair

Following a vote it was **RESOLVED** to appoint Councillor Fulton-McAlister (E) as vice-chair for the ensuing civic year.

4. Minutes

RESOLVED to approve the accuracy of the minutes of the meeting held on 3 March 2022.

5. Consideration of cumulative impact assessment

The public protection (licensing) team leader presented the report.

The chair welcomed Ed Brown, Chief Inspector Community Safety, Local Policing Delivery Unit. The Chief Inspector delivered a presentation on policing the night time economy. He explained the public order deployment model used to cover the area of the night time economy (NTE). Every week from Thursday to Saturday there was an increased police presence in the NTE to prevent and deter crime. The police took a preventative approach and engaged with licenced premises in the area and voluntary sector providers.

He referred to crime statistics for the area and noted that rates had been rising. He commented that because the police were on the scene it prevented a lot of incidents

from escalating. Conversely rates for the reporting of anti-social behaviour within the NTE area had reduced. The Chief Inspector observed that there was a greater scrutiny of recording standards expected of police officers. There was a correlation between the later opening of venues and an increase in alcohol related incidents with 30% of crime reported in the last hours of trading.

The Chief Inspector referred to the Night Safety Board and Night Safety Charter funded through the home office's safer street funds. The scheme aimed to identify ways to make licensed premises safer and worked with premises to improve conditions.

Members thanked the Chief Inspector for his presentation. A member considered that if there had been a consistent increase in crimes in the NTE area then a cumulative Impact Policy (CIP) should be explored. The chair was interested to know how Norwich's figures compared to comparable council areas. In response to member questions the Chief Inspector advised that there would be an enhanced policing presence in the lead up to Christmas.

The chair referred to the increase in the number of spiking reports and asked if the concentration of venues within the NTE area added to this. The Chief Inspector considered media coverage had encouraged people to come forward with the knowledge that their concerns would be taken seriously and that there had been a national increase in reporting rates for drink spiking. He referred to the development of safe spaces, which were areas within venues that were set aside for welfare.

Members discussed if a Cumulative Impact Policy was needed in the area of the NTE. In response to member concerns regarding the uplift in crime figures the Chief Inspector commented that it was difficult to know if figures had increased as a result of a saturation of premises or other factors. He emphasised that it was a relatively small increase in figures. The chair referred to the report in the agenda and noted that the police had been asked in summer if they considered a CIP necessary and had responded no. He asked the Chief Inspector if this was still the case and he confirmed it was.

In response to a member question the Chief Inspector noted that sexual offences were often under reported and the police were keen to encourage reporting and worked with venues to target enforcement. In response to a member comment regarding the council and police having a duty of care to introduce a CIP the Chief Inspector considered that the evidential basis for one did not exist. He referred to the Night Safety Charter as a means of working collaboratively with venues, the third sector and other partners.

The Chief Inspector noted that footfall within the NTE area had fallen compared to five or six years ago. The lack of taxi provision in the area to get people home at night was an issue and the late night trade was looking at a night bus as an option to mitigate this.

Members discussed what data they considered necessary to determine if a CIP was needed. They requested comparison of crime figures for the NTE at Price of Wales Road to other areas such as NR2 and NR3, comparison data for comparable council areas, the concentration of venues in NTE and comparison data before the previous policy was introduced to the situation now.

The public protection (licensing) team leader noted that if members voted to scope a CIP that this would likely have to be externally resourced.

RESOLVED to:

- (1) Request the Public Protection (licensing) Team Leader begin work on a cumulative impact assessment, (this would require a scoping and project planning exercise); and
- (2) Ask the Public Protection (licensing) Team Leader for a progress update at the next meeting of licensing committee.

6. Regulatory subcommittee minutes

RESOLVED to receive the minutes of the regulatory subcommittee meetings held on 9 March 2020, 8 June 2020, 14 September (am) 2020, 14 September (pm) 2020, 12 October 2020, 8 February 2021, 9 May 2022, 13 June 2022, 8 August 2022, 12 September 2022 and 10 October 2022.

CHAIR



Licensing Committee

10:30 to 12:20

6 March 2023

Present: Councillors Stutely (chair), Ackroyd, Brociek-Coulton, Catt, Davis, and Grahame

Apologies: Councillors Fulton-McAlister (E), Huntley, Kidman, Peek, Price, Sands (S) and Schmierer

1. Declarations of interest

There were no declarations of interest.

2. Application for the renewal of a sex establishment at Sugar & Spice, 39 Prince of Wales Road, Norwich, NR1 1BG

The chair welcomed the applicants to the meeting and introduced members of the committee, the legal advisor and the public protection (licensing) team leader.

The public protection (licensing) team leader presented the report. She highlighted that the establishment was within the location designated as the inner area within the policy statement. There were no relevant representations to this application. The authority had set a cap of two sex entertainment venues within this area. There were currently three sex entertainment venues in the area, including this premises.

The committee:

RESOLVED to exclude the public from the meeting during consideration of this item on the grounds contained in paragraph 3 of Part 1 of Schedule 12(A) of the Local Government Act 1972, as amended.

(The following section of the meeting was held in private session)

The applicants addressed the committee and described the operation of their business.

In response to a question from the chair the public protection (licensing) team leader stated that there had been visits by the public protection team, but these had not raised any objections. Some operational issues had been found but these were being addressed by the venue in consultation with officers.

Members asked questions on the welfare of customers and performers. The applicants confirmed that while they did not have a written policy this was a key part of their business, with regular meetings with all staff and that all performers were offered support if they wanted this.

The applicants and performers answered questions from members on physical contact with customers. The committee expressed concerns about the contradiction within the licence conditions around physical contact. The public protection (licensing) team leader confirmed that the sex establishment policy was due to be reviewed which would include standard conditions, and these would be consulted on. The committee considered there was scope within the renewal process to update the conditions for clarity.

The committee asked questions on the code of conduct for performers and the applicants confirmed that they would review these and would welcome feedback on members through officers on these.

Members were concerned that there was no policy on trafficking and modern slavery. The applicants said that the duty supervisors and directors of the company were trained on spotting the signs of trafficking and modern slavery and would report these in the appropriate ways. The committee suggested that the applicant has a separate document that could be given to performers. Members also considered that a policy on performers leaving the venue should be put in writing.

The applicants addressed the committee in support of the renewal application. They stated that they had been involved in the industry for several years. They would look to clarify content in their code of conduct to ensure that everyone is protected. In doing so they would work with the council to remain open and transparent.

(The meeting closed at this point.)

(The meeting reconvened for the determination at 15:00 on 7 March 2023, with all members listed above as present, attended by the legal advisor.)

The committee considered the determination of the applications for renewal of sex establishment licence for sex entertainment venues for Pure Gold and Sugar and Spice and took into consideration the relevant locality.

Following discussion, the committee:

RESOLVED to grant:

- (1) the renewal of a sex establishment licence in respect of Pure Gold, 52 Prince of Wales Road, Norwich, NR1 1LL for the period 2022 to 2023, subject to some amendment to the conditions;
- (2) the renewal of a sex establishment licence in respect of Sugar and Spice, 39 Prince of Wales Road, Norwich, NR1 1BG for the period 2022 to 2023, subject to some amendment to the conditions.

(The committee adjourned for a short break and reconvened at 16:30 on 7 March 2023, with all members listed above as present. The public protection (licensing)

team leader was admitted to the meeting. The meeting was live streamed and is available on the Norwich City Council YouTube channel.)

The chair announced the committee's determination to renew the sex establishment licences for sex entertainment licences in respect of Pure Gold, 52 Prince of Wales Road, Norwich, NR1 1LL and Sugar and Spice, 39 Prince of Wales Road, Norwich, NR1 1BG, for the period 2022 to 2023, subject to some amendments to the conditions.

The legal advisor said that the full reasons for the determinations would be provided to the applicants in writing. The committee had considered the agenda papers and the evidence provided at the hearings. No complaints had been received for either of these premises. No concerns had been raised following inspections of the premises. These were long standing businesses. The committee had given consideration to the locality. The committee considered that these premises were suitable and to renew both sex establishment licences, with amendments made to the conditions and the reasons for this would be provided to the applicants in writing.

CHAIR



Licensing Committee

14:30 to 14:35

6 March 2023

Present: Councillors Stutely (chair), Ackroyd, Brociek-Coulton, Catt, Davis, and Grahame

Apologies: Councillors Fulton-McAlister (E), Huntley, Kidman, Peek, Price, Sands (S) and Schmierer

1. Declarations of interest

There were no declarations of interest.

2. Application for the renewal of a sex establishment licence at Pure Gold, 52 Prince of Wales Road, Norwich, NR1 1LL

As the applicant had requested that the date and time was changed to allow attendance of their legal representative it was **RESOLVED** to adjourn the hearing for the application for the renewal of a sex establishment licence at Pure Gold, 52 Prince of Wales Road, Norwich, NR1 1LL to Tuesday 7 March 2023 at 10:30.

CHAIR



Licensing Committee

10:30 to 12:05

7 March 2023

Present: Councillors Stutely (chair), Ackroyd, Brociek-Coulton, Catt, Davis, and Grahame

Apologies: Councillors Fulton-McAlister (E), Huntley, Kidman, Peek, Price, Sands (S) and Schmierer

1. Declarations of interest

There were no declarations of interest.

2. Application for the Renewal of a Sex Establishment at Application for the renewal of a sex establishment licence at Pure Gold, 52 Prince of Wales Road, Norwich, NR1 1LL.

The chair welcomed the applicant and agent to the meeting and introduced members of the committee, the legal advisor and the public protection (licensing) team leader.

The public protection (licensing) team leader presented the report. Additional papers submitted by the applicants for consideration had been circulated to the committee and interested parties on 3 March 2023. The application for renewal applications were lodged prior to the expiry date of the licence and therefore, the licence was deemed to remain in force until the renewal application was withdrawn or determined. There were no relevant representations to this application. The location of this application premises was within the inner area designated in the policy statement. The authority has set the maximum at two sex entertainment venues. There were currently three sex entertainment venues in the designated area, including this premises.

The committee:

RESOLVED to exclude the public from the meeting during consideration of this item on the grounds contained in paragraph 3 of Part 1 of Schedule 12(A) of the Local Government Act 1972, as amended.

(The following section of the meeting was held in private session.)

The agent apologised that the premises owner was unable to attend the committee meeting for personal reasons and therefore the premises manager (applicant) would

speak on behalf of the application. The agent, together with the premises manager, addressed the committee in support of their application.

The committee then questioned the applicant and agent on the operation of the premises with specific regard to the welfare and safeguarding of performers and customers.

In reply to a question from the chair, the public protection (licensing) team leader confirmed that there had been no objections to this application and there were no outstanding investigations. The premises had been inspected and no further action had been required.

The legal advisor to the committee asked whether there had been any deviation to condition 58. The agent confirmed that there had been no deviation to any of the key points set out under this condition.

The agent presented the final address in support of the renewal application. There had been no objections from the police and ward councillors to the application for renewal of this premises as a sex entertainment venue and was testament to the premises owner and manager to the manner that they ran the premises and liaised with the Responsible Authorities.

The chair said that the committee would make its determination later that day and that it would be broadcast on the council's YouTube channel. The applicant and agent would be informed when this took place.

(The meeting closed at this point.)

(The meeting reconvened for the determination at 15:00 on 7 March 2023, with all members listed above as present, attended by the legal advisor.)

The committee considered the determination of the applications for renewal of sex establishment licence for sex entertainment venues for Pure Gold and Sugar and Spice and took into consideration the relevant locality.

Following discussion, the committee:

RESOLVED to grant:

- (1) the renewal of a sex establishment licence in respect of Pure Gold, 52 Prince of Wales Road, Norwich, NR1 1LL for the period 2022 to 2023, subject to some amendment to the conditions;
- (2) the renewal of a sex establishment licence in respect of Sugar and Spice, 39 Prince of Wales Road, Norwich, NR1 1BG for the period 2022 to 2023, subject to some amendment to the conditions.

(The committee adjourned for a short break and reconvened at 16:30 on 7 March 2023, with all members listed above as present. The public protection (licensing) team leader was admitted to the meeting. The meeting was live streamed and is available on the Norwich City Council YouTube channel.)

The chair announced the committee's determination to renew the sex establishment licences for sex entertainment licences in respect of Pure Gold, 52 Prince of Wales Road, Norwich, NR1 1LL and Sugar and Spice, 39 Prince of Wales Road, Norwich, NR1 1BG, for the period 2022 to 2023, subject to some amendments to the conditions.

The legal advisor said that the full reasons for the determinations would be provided to the applicants in writing. The committee had considered the agenda papers and the evidence provided at the hearings. No complaints had been received for either of these premises. No concerns had been raised following inspections of the premises. These were long standing businesses. The committee had given consideration to the locality. The committee considered that these premises were suitable and to renew both sex establishment licences, with amendments made to the conditions and the reasons for this would be provided to the applicants in writing.

CHAIR



Licensing Committee

10:00 to 10:05 / 14:55 to 15:00

7 March 2023

Present: Councillors Stutely (chair), Ackroyd, Brociek-Coulton, Catt, Davis, and Grahame

Apologies: Councillors Fulton-McAlister (E), Huntley, Kidman, Peek, Price, Sands (S) and Schmierer

1. Adjournment

The chair commented that the applicant had requested the consideration of the application for the renewal and variation of a sex establishment licence in respect of Lace be adjourned to 14:30 so that the premises' legal representative could be present.

RESOLVED to adjourn this committee until 14:30, on 7 March 2023.

(The committee reconvened at 14:55 on 7 March 2023, with all members listed as present above and attended by a legal advisor.)

2. Declarations of interest

There were no declarations of interest.

3. Application for the Renewal and Variation of a Sex Establishment Licence at Lace, 75 Prince of Wales Road, Norwich,

The chair welcomed the applicants and legal representative, representatives of Norfolk Constabulary and officers of the council, to the meeting and introduced members of the committee, the legal advisor and the public protection (licensing) team leader.

The legal representative for Lace, said that his clients wanted to withdraw both applications for renewal. He also asked the committee to defer consideration of the application for a variation the sex establishment licence to allow for further discussion with the licensing authority, the police and operators, before coming back to the committee with a more agreed position.

RESOLVED to:

- (1) accept the withdrawal of the applications for renewal of a sex establishment licence at Lace, 75 Prince of Wales Road, Norwich; NR1 1DG
- (2) defer consideration of the application for variation of the sex establishment licence at Lace, 75 Prince of Wales Road, Norwich, NR1 1DG to 14:15 on Thursday, 30 March 2023 (in the Mancroft room)

CHAIR



Licensing Committee

14:40 to 19:40

30 March 2023

Present: Councillors Stutely (chair), Catt, Davis, Grahame, Huntley, and Peek

Apologies: Councillors Fulton-McAlister (E) (vice chair), Ackroyd, Brociek-Coulton, Kidman, Price, Sands (S) and Schmierer

1. Declarations of interest

There were no declarations of interest.

2. Application for the variation of a sex establishment licence at Lace, 75 Prince of Wales Road, Norwich, NR1 1DG.

The chair welcomed the applicant and legal representative to the meeting. He also welcomed members of Norfolk Constabulary, the licensing officer and sergeant for the community safety operational unit, and the council's vulnerability reduction officer, and introduced members of the committee, the legal advisor and the public protection (licensing) team leader.

It was:-

RESOLVED to exclude the public from the meeting during consideration of this item on the grounds contained in paragraph 3 of Part 1 of Schedule 12(A) of the Local Government Act 1972, as amended.

***3. Exempt appendices (para 3)**

The public protection (licensing) team leader presented the report, referring members to the relevant legislation and the Norwich City Council policy. She confirmed that a director had been appointed who replaced one listed in the application. The chair queried whether the notification of this had happened within 14 days as specified in the policy. In response the public protection (licensing) team leader said that she did not have this information.

The legal representative for the licence holder addressed the committee. Amended conditions to the ones in the report had been circulated to members, and these would be the variations that would be considered during the meeting. He said that the variation application was to help address some of the issues that had led to the revocation of the licence. The amendments had been drafted following conversations

with public protection officers and were seeking to gain some parity with the other sex establishments in the locality.

The committee went through each of the proposed variations and asked questions of the legal representative, the licence holder and manager of the premises and the public protection (licensing) team leader. Some proposals were amended by the applicant.

The licensing officer, Norfolk Constabulary, addressed the committee. She referred to the original objection by the police and the additional documents that had been circulated to the committee. In response to a question from the chair the sergeant for community safety operational unit said that confidence in management was improving.

In response to a question from the chair the vulnerability reduction officer said that the breaches found were treated on their own merits when these occurred and in respect of the conditions that were in force at the time.

Following discussion, the committee:

RESOLVED to:

- 1) approve amendments to licence conditions 4, 19, 38, 54 and add new licence condition 65 as detailed in the document circulated to members
- 2) approve amendments to licence conditions 10, 11, 32, and 43 as amended during the meeting
- 3) approve amendments to licence conditions 44, 45, 55 and 58 with additional imposed amendments
- 4) impose an amendment to condition 1; and
- 5) refuse amendments to licence conditions 27 and 46

(The committee adjourned for a short break and reconvened at 19:30 on 30 March 2023, with all members listed above as present. The meeting was live streamed and is available on the Norwich City Council YouTube channel.)

The chair announced the committee's determination, as minuted above.

The legal advisor said that the full reasons for the determinations and the amended conditions would be provided to the applicants in writing. The committee had considered the agenda papers and the evidence provided at the hearings and noted that there had been an improvement in the confidence in the management of the premises, but some concerns remained.

CHAIR