



CHELTENHAM

BOROUGH COUNCIL

Notice of a meeting of Licensing Sub-Committee - Miscellaneous

Wednesday, 6 November 2019
6.00 pm
Pittville Room - Municipal Offices

Membership	
Councillors:	David Willingham (Chair), Dennis Parsons (Vice-Chair), Mike Collins, Diggory Seacome and Simon Wheeler
Officers:	Louis Krog and Vikki Fennell

Agenda

1.	APOLOGIES	
2.	DECLARATIONS OF INTEREST	
3.	MINUTES OF THE PREVIOUS MEETING	(Pages 3 - 14)
4.	APPLICATION FOR RENEWAL OF SEXUAL ENTERTAINMENT VENUE LICENCE (19/02708/SEXR) Report of the Licensing Team Leader	(Pages 15 - 60)
5.	ANY OTHER ITEMS THE CHAIRMAN DETERMINES URGENT AND WHICH REQUIRES A DECISION	

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Licensing Sub-Committee - Miscellaneous

**Wednesday, 3rd July, 2019
6.00 - 8.30 pm**

Attendees	
Councillors:	David Willingham (Chair), Dennis Parsons (Vice-Chair), Mike Collins, Diggory Seacome and Jo Stafford (Reserve)
Also in attendance:	Louis Krog and Vikki Fennell

Minutes

1. APOLOGIES

Apologies received from Councillor Wheeler. Councillor Stafford was in attendance as substitute.

2. DECLARATIONS OF INTEREST

There were none.

3. UPDATE FROM THE CHAIR AND LICENSING TEAM LEADER

Before the substantive items, The Chair and the Licensing Team Leader gave the following updates:

- CBC has won a Purple Flag award for its management of the night-time economy. Thanks to officers and the BID for all their hard work to get this. A press release has gone out;
- Members due to sit on the SEV scrutiny group on 17th July are requested to submit any questions for the invitee in advance of the meeting;
- Any more comments in relation to Tewkesbury's taxi licensing policy consultation should be sent in;
- In January, Members dealt with a confidential item, revoking the license of a taxi driver due to ongoing criminal proceedings. The driver was subsequently convicted and sentenced to 16 weeks in prison. This demonstrates that CBC takes licensing and safeguarding very seriously and won't hesitate to revoke a licence where there are issues of safety to the travelling public.

4. APPLICATION FOR RENEWAL OF A HACKNEY CARRIAGE DRIVER'S LICENCE

Officer introduction

The Licensing Team Leader introduced the application as set out in the report, for renewal of a Hackney Carriage driver's licence, due to expire 25th July. The applicant did not inform the Council or declare penalty points on his renewal form.

Details of the offences are outlined in the background papers, including the interview outlining the licence holder's reasons why he did not report them to Council.

Members' questions to officer

None.

Applicant's address

Mr Layton felt sure he had informed the Council of the penalty points (for speeding), though couldn't recall if this was verbally or by phone. He said he is not very good at filling out forms, and that subsequent to the interview with Council officers, he has details of where and when the speeding offences took place.

Members' questions to applicant

In response to questions from Members, Mr Layton stated that:

- He wasn't eligible to go on a speed awareness course as he had done one just under three years previously, and drivers are only to undertake one course every three years;
- He couldn't remember whether he came to the Municipal Offices or telephoned to declare his penalty points. He was informed that if he had come into the office, he would have been given a form to fill in;
- He now understands the process, and the need to inform the Council of any penalty points in writing, witnessed by an officer.

Member debate

A member felt that a written warning should make it clear that the breach of policy – not letting the Council know – is the main issue here. In response to a question from another member, the Licensing Team Leader confirmed that the enhanced driving test is similar to a standard practical driving test, but with a higher pass threshold, and at a cost of £40-50, undertaken through the Council's supplier.

A member felt that the question is whether the applicant is a fit and proper person to drive the people of Cheltenham. He found it difficult to give credence to the applicant's story, said that taxi drivers should be reliable, and questioned whether the licence should be renewed.

Another member agreed that failing to report the offences was the main issue, and felt that a written warning would be the best option – it is not a soft option, will stay on record, and be taken into account if the applicant ever comes back to Committee. The Committee is not here to punish the applicant; if he continues to incur penalty points, he will be banned from driving.

Two members were concerned about the applicant's vagueness concerning the speed at which he was travelling. Another member asked the applicant if he had had any other speeding tickets in the 18 years he has been a taxi driver; the applicant confirmed that he had, and had been on a speed awareness course on one occasion. He also confirmed, in response to a question from a member, that he has been looking into getting cruise control fitted to his car, and will definitely have it in his next vehicle.

Applicant's response

Mr Layton agreed with all that had been said. He stated again that it was the first time he had filled out the form, and that the omission of the penalty points was a genuine mistake which he wants to rectify.

Vote:

To revoke Mr Layton's Hackney Carriage driver's licence: 1 in support, 4 in objection

To issue a written warning: 3 in support, 2 in objection

To require Mr Layton to complete and pass a driving assessment: 2 in support, 3 in objection

The Chair confirmed that the Committee won't revoke Mr Layton's licence, but issue a written warning which will stay on record. The Committee will expect Mr Layton to declare any future points, and advise his colleagues to do the same. He confirmed that Mr Layton can carry on driving, and that Officers will be in touch.

5. APPLICATION FOR RENEWAL OF PERMISSION TO PLACE AN OBJECT ON THE HIGHWAY - A-BOARD

Officer introduction

The Licensing Team Leader introduced the application for the renewal of an A-board licence at Lakeland on the Promenade, issued in October 2018 by an officer, without referring the application to Committee, which is normal procedure. An A-board at this location does not comply with policy with regard to the Council's Revised Outdoor Advertising Protocol, so officers felt it appropriate to refer the renewal application to Committee. Paragraph 3.1 of the report sets out CBC's advertising protocol, and this is the test to take into consideration.

Members' questions to officer

In response to Members' questions, the officer confirmed:

- That the A-board is within the Council's permitted dimensions;
- That another shop on the row – Slaters – has an A-board because it has no street-level frontage, and Costa Coffee opposite is allowed an A-board, although this is supposed to remain in the tables and chairs area;
- That the current licence will expire on 17th July 2019.

Applicant's address

The applicant stated that she always ensures the board is discreet and pulled in, and that it always looks professional and well done. At a time when retail is struggling, it is a helpful tool to bring customers into the store, interesting them in demonstrations and special offers. She cares passionately about her business but until she applied for the renewal, she wasn't aware that the correct procedure had not been followed.

Members' questions to applicant

In response to Members' questions, the applicant confirmed:

- That the board is currently promoting Lakeland's three-year guarantee, which is a big selling point. Promotions and demonstrations are advertised on it, but it is not changed daily;
- That it makes a big difference to displaying similar promotions in the window, as people can see it clearly from a distance.

Member debate

A member felt that the dilemma here is that Council policy does not allow A-boards to shops with street frontage, and if this licence is granted, everyone on the High Street could apply for them. Another member agreed that all businesses would say the same as the applicant, but the Council does not want the town's pavements cluttered with A-boards. He is a Lakeland customer and sympathises with the applicant, but felt that with a 14-foot frontage and no extenuating circumstances, there is no need for this renewal to be granted.

A member said that, as this A-board was permitted originally by mistake, there is no reason to deviate from licensing policy. A-boards create clutter and are trip hazards; Lakeland can promote its offers and wares in its street-level shop front window. Another member agreed that it was unfortunate that the error was made in the first place, but the Council must keep pavements safe for the visually impaired, and therefore A-boards have to be limited.

Applicant's response

Ms White understood Members' comments but, for future reference, questioned why she was sent a renewal letter when the licence had been granted in error. She has paid £125 renewal, as there was nothing in the letter to indicate the error.

The Licensing Team Leader stated that CBC was under a duty to determine the application, and to give the applicant the right to reply and option to defend the application. He confirmed that the payment would be refunded.

Vote

To grant renewal: 0 in support, 5 in objection

The Chair said that CBC will be reviewing the policy for objects on the pavement in the future, and advised the applicant that this would allow the opportunity to possibly influence policy. He apologised on behalf of the Council for the original mistake. The Licensing Team Leader confirmed that he would be in touch with the applicant to discuss what will happen next.

6. APPLICATION FOR STREET-TRADING LICENCE

Officer introduction

The Licensing Team Leader said the application is for a new street-trading consent to sell hot drinks and cakes from a coffee bike (image provided) outside 117 High Street (John Lewis plc), initially for three months, with trading hours as set out in the officer report. The assessment criteria are listed at Paragraph 3.2 of the report, with a number of objections from local traders included in the background papers. The Committee can approve if Members feel it is acceptable, or refuse if they feel it does not comply with Council policy. They should determine the application with a view to promote Council policy, and need to aware that the proposed site is not an approved location.

Members' questions to officer

None.

Applicant's address

Mr Nigel-Jones said he had done a lot of research before choosing this particular location, and opted for it because it is a much improved area, with a

wide pavement, and at a good distance from another coffee street vendor who trades outside Cavendish House.

Members' questions to applicant

In response to Members' questions, Mr Nigel-Jones confirmed that:

- He would sell organic coffee and orange juice, and organic crisps from local farmers using biodegradable packets; the coffee cups will also be biodegradable;
- There is a litter bin approximately 5 yards from the proposed pitch; he will be responsible for his own rubbish;
- The bicycle is electric and can be cycled, but he will bring it in a van, at 7.30am;
- He considered the Council's street-trading policy and other local coffee shops when doing his research, and concluded that the nearest coffee shop – Costa – would not be too worried about competition from him. He considers this location to be a good one, as John Lewis has made it an up-and-coming area, the footfall is good, there are benches and litter bins;
- The power for making coffee etc will come from a lithium battery in a sealed unit underneath the counter; other equipment is operated by gas, from a small container inside the bike;
- He applied for a three-month licence initially as he is a little worried about the winter months, and would want to discuss with the Council the possibility of a canopy or awning over the bike to protect customers from the rain. He would want to extend the licence if possible.

Member debate

A member said that, as with the previous application, the Council has endorsed a policy and it is for the Committee to enforce it. The policy does not support a bike here. Moreover, the Council has worked hard to attract John Lewis and other major retailers to the town, and spent a lot of money on public realm work in this area – it now looks good, and it would be a shame to clutter the pavement with pop-ups. He believes strongly in fair competition and attaches serious weight to the effect of this business on established businesses paying rent and rates. He will not support the application in principle.

A member commended the environmental considerations made by the applicant, but felt there are two main issues: firstly, this is not an approved area for street trading, and secondly, the Council has a duty to businesses paying rates – it must consider the needs of the area and the impact this additional business would have.

A member also liked the bike, the organic wares, and the environmentally responsible attitude of the applicant, but felt he was taking advantage of the fact that major improvements have been made in this area. It is not an approved location, and the business would be in direct competition with a number of other traders. He commended Mr Nigel-Jones for his application, but did not feel it would be supported.

A member agreed that the bike looks wonderful, complements the Council's cycling agenda, and the environmental credentials are good. He was not concerned about public safety or nuisance, but felt the application failed on two tests: first, the needs of the area – the pitch is close to several coffee shops which complement each other well – and second, it is not an approved site. He would like to see the coffee bike somewhere in town but not here.

Applicant's response

Mr Nigel-Jones took Members' points, but wondered whether this is not a designated site because it was previously untidy with poor footfall. Now that money has been spent, it could become a designated location and would complement the area.

Vote

To approve the application

0 in support

5 in objection

REFUSE

The Chair confirmed that the Committee likes the appearance and environmental credentials of the business, and have refused because it is not compatible with the policy needs of the area. He thanked the applicant, and suggested he speak with the licensing team outside the meeting to consider other locations.

7. APPLICATION FOR A VARIATION OF A SEXUAL ENTERTAINMENT VENUE LICENCE

Officer introduction

The Licensing Team Leader told Members that the current SEV at the Two Pigs will expire early in 2020, and that the scope of this application relates only to a variation – additional dates to coincide with race meetings in October, November and December. There have been two objections, as set out in the report, but no comment from the Chief of Police. Mandatory and discretionary grounds for refusal are detailed in the report at Paragraphs 4.4 and 4.5, and Members should also be mindful of their public sector equality duty and the effect of granting this application on the protected group as set out in 2010.

Questions to officer

In response to Members' questions, the Licensing Team Leader confirmed that:

- The application is in line with previous applications from this applicant for sexual entertainment at this venue. It is used as a SEV at most major race events.
- Police and Council licensing officers inspect the venue once or twice a night during race events and, apart from some minor issues, no comments or concerns have been raised;
- The venue is inspected every six months or so, outside the SEV dates when operating as a normal pub
- No sexual assaults or incidents attributable to Two Pigs customers have been recorded by the police.

The applicant had no questions for the Licensing Team Leader at this point.

The representative of GRASAC asked what the link is between sporting events and sexual entertainment in Cheltenham; this doesn't occur in other cities. The Licensing Team Leader stated that it dates back to when the Blue Rooms operated as a permanent SEV in Cheltenham. In 2011, a statutory exemption allowed premises to put on sexual entertainment once a month without a licence. There is nothing the Council can do about it, but if premises want more than one night a month, as in the case of the Two Pigs, they need to apply for a licence.

Applicant's address

The applicant's solicitor confirmed the additional dates and times requested: Friday 25th and Saturday 26th October; Friday 15th, Saturday 16th and Sunday 17th November; and Friday 13th and Saturday 14th December, all 8.00pm to 5.00am. The Licensing Team Leader confirmed that these are the dates on the application form.

The solicitor said the licence has been held since January 2017; when it was originally applied for, a number of objections were raised but none have been raised since then. As stated by the Licensing Team Leader, there have been no issues or objections from the police, and only very minor incidents have occurred which have been fully resolved to the satisfaction of the police and local authority. The applicant respects the local area and actively participates in the Cheltenham NightSafe scheme, which is linked with the police and aims to reduce crime and anti-social behaviour.

The application has been properly advertised, and copies of the public notice are available.

Regarding the objections raised, Members will be fully aware of the mandatory and discretionary grounds for refusal; objections on moral grounds or values are not relevant and should not be taken into consideration. The objection from GRASAC concerning a serious sexual assault during race week cannot be attributed to the applicant and should be disregarded.

The Two Pigs is a professionally-run establishment, which strives to comply with its licensing commitment, and work with police to ensure that individuals abide by the rules and do not cause a nuisance in the local area. Welfare of performers is paramount, and they are transported to and from the venue, provided with meals and refreshment, and secure changing rooms. There are no webcams or chat services.

Concerning the objection from a local resident, the police and local authority work to safeguard the streets, and have raised no objection to the licence at the Two Pigs. If there were any anti-social behaviour or disorder issues, the police would have been present at the meeting or made a comment; this contradicts and outweighs the resident's objection. The comments about the 24-hour exemption are a matter for judicial review at the High Court.

This is a straightforward application: the applicant has had an excellent record for 2.5 years; the police have no objections; public objections have no merit in law; all licensing regulations are observed.

Questions to applicant

In response to Members' questions, the applicant's solicitor confirmed that:

- Employees are not coerced or trafficked; they apply online, and once approved, need to confirm their status, address, and right to work in the country;
- There is racing on Sunday 17th November;
- Regarding the barriers placed on the highway, conditions are attached to the original licence and the local authority has not raised any objections to suggest that these have been breached;

- Fliers handed out during raceweek offer a free courtesy bus; the local authority has not raised the issue, so the assumption is that they do not breach the conditions;
- Additional bar staff are provided through Griffin Promotions; individuals who are contracted to work at the venue are fully briefed as to what the event will be and what they will be expected to do;
- Performers come from all across the country, and usually stay in hotels in Cheltenham or Gloucester; they are dropped off at their hotels or their vehicles.

Regarding the barriers, the Licensing Team Leader said that Condition 4 relates to the display of banners in the immediate vicinity, and the issue is that venues use barriers during busy raceweek events to manage crowd control. Officers have had conversations with the police and the operators, who state the barriers are necessary to manage queues, crime, disorder, flashpoints. The barriers used here display the Eroticats logo - nothing to suggest lap dancing, but to some extent the imagery could be interpreted as a breach. This could be tightened up under a policy review.

Regarding the fliers, Condition 6 concerns advertising the premises and also needs tightening up; the fliers advertise the courtesy bus, so technically are not in breach. With the imagery and barriers, the applicant is circumnavigating the rules; this will be picked up. He confirmed that, if acting under the 24-hour exemption, barriers are permitted but leafleting requires a separate permit.

The Licensing Team Leader reminded the Committee that the application is a variation of an existing licence and the Committee's decision making remit is limited to the variation applied for and cannot extend to a full review of the SEV already issued.

The representative from GRASAC asked what the Council is doing generally about the safety and safeguarding of residents in the area. The courtesy bus has been seen near schools, and Two Pigs workers and ex-workers have told GRASAC that they have been dismissed during raceweek. The applicant said this is not the case, and suggested it is not relevant to the application.

Objector's address

Ms Steward said GRASAC works in tandem with Council members and staff and the police, to protect the safety of women – posters were produced this year – yet this seems to contradict the work which other Council departments are doing. She questioned again the link between sporting entertainment and the sex industry, and while recognising that the law has been in place since the 1980s, and that the Committee is not here to discuss morals, she felt that additional dates on the licence, in this sensitive area near St Mary's, St Matthew's and St Gregory's, could be refused as unsuitable, based on the clientele.

Questions to objector

Members agreed that GRASAC does very good and valuable work, but reminded the objector that tonight they are considering only the amendment to an existing consent; they can only apply the law and policy as it stands, and while they can change policy in future, they cannot change the law. It was also pointed out that any link between sport and sexual entertainments has nothing

to do with the application, and that, as stated earlier, Cheltenham has just won a Purple Flag for its management of the night-time economy.

In response to questions from Members, Ms Stewart stated that:

- Although the serious sexual assault during raceweek cannot be directly linked to the Two Pigs, women's safety during raceweek in general is a concern. The police say nothing was reported to them, but GRASAC has clients who say they tried to report incidents to the police and were told they should expect it in raceweek. GRASAC holds a lot of client information about safety or lack of it during raceweek;
- The courtesy bus has been seen near Cheltenham Ladies College during the evening – not near any primary schools – but many local residents find it offensive;
- By increasing the dates or not, Councillors can influence the ongoing link between race events and the sex industry, which is not prevalent elsewhere;
- She recognises that, if the licence variation is refused tonight, sexual entertainment will continue elsewhere in the town, without the protection for performers provided by the large number of conditions on the Two Pigs licence. However, she is interested in the safety of all women in the town

The applicant had no questions for Ms Stewart.

Member debate

A member asked for clarification as to whether this is an amendment or a new application. There are no more race meetings left on the original application, but three between now and January. The Licensing Team Leader confirmed that the Two Pigs has a licence to January 2020, with certain dates permitted; tonight's application is just about adding three more sets of dates. Matters relevant to the discretionary grounds for refusal of the venue can be raised when the licence is renewed later this year.

A member said there may or may not be a link between sex and sport, but this is not peculiar to Cheltenham and cannot be blamed on the Two Pigs. There are problems in town and in society which need to be dealt with, but this amendment to an existing consent won't make a difference. The issue of SEVs won't go away, and in granting a SEV licence, the venue can be better controlled by licensing officers and the police, making it better for performers and for audiences. If it goes underground, there would be no control.

A member suggested the link between racing and sexual entertainment arose from the link between racing and gambling, and a lot of people with money to burn. She agrees that, as a woman, it can be very unpleasant walking through town during raceweek, but this cannot be blamed on one SEV. She was shocked to hear that women have had trouble reporting incidents to the police, but that is not relevant to this licence. The Committee has very limited ability to refuse: the licence is already granted; this is an amendment; the locality was considered acceptable when the licence was granted, and this is not the place to object to that. It is up to people to choose whether they go to SEVs; doing so does not make them guilty of assault, and at least with a licence, conditions are in place to protect workers and audience.

A member suggested that the correlation between sport and SEVs could just be that a lot more people need entertaining and part of this is drinking and

attending lap-dancing clubs. Under the 24-hour exemption, any pub or club can put on unregulated sexual entertainment, and it is better to contain the dates by licence. He agreed with other Members that any attacks or anti-social behaviour from drunken people cannot be attributed to a single establishment.

A member also admires the work done by GRASAC, and appreciates their concerns, but repeated that the Council is limited by national legislation – lap-dancing is legal, and people who do not like it should talk to their MP about changing the law; otherwise the Council will always be constrained in the way it can act. He agreed with other Members that it is better to have some control over premises, and felt that the Two Pigs is a good-quality venue.

He was concerned, however, about the barriers and fliers, and felt that the will of the Committee has been legally and cleverly circumvented. Fliers cause a lot of litter and barriers block the highway. He recalled that the main issue when the original licence was granted was preventing any advertisements being posted on the wall outside, and feels uncomfortable doing nothing about the barriers and leaflets.

A member said racing brings in a lot more people than it used to, and this is reflected in the venues. He said that barriers are normal for crowd control, but questioned why those used at the Two Pigs need to be branded. To keep things in perspective, however, he reminded Members that there are more issues and complaints about taxi drivers than SEVs during raceweek.

A member said that the police would have raised concerns if they had any, and that the Two Pigs is inspected every night during race events. He agreed that sexual entertainment is not linked so much to sport as to large numbers of people with lots of money to spend, and pointed out that many large cities have permanent SEVs so do not need additional venues during sporting events. He reminded Members that the important thing is that the performers and clients are safe, and the fact that people are offended by it is not grounds for refusal – discretionary grounds were considered when the application was originally considered. Moral objections are not a reason to refuse, and the Council itself has allowed the Dream Boys to perform at the Town Hall using the 24-hour exemption.

He said that concerns about the safety of the town are more about the number of people in raceweek. There are objectionable people in any large town on a Friday night, but at least the licensed venue will have more door staff, regulation and inspections because of its high profile; the general consent is that the Two Pigs operates within its licence, and if performers were coerced, it would be evident. The objections raised are not material, and issues regarding the 24-hour exemption need to be raised with Parliament. He wants Cheltenham to be safe for everyone and the Council has done all it can. The Two Pigs cannot be held responsible for anti-social behaviour, only for its immediate vicinity. There is no rational reason to refuse.

A member noted that the application is being determined under CBC's existing licence policy, and asked when the reviewed policy would come into force. The Licensing Team Leader said this will involve scrutiny work, a 2-3 month consultation, cabinet approval and then implementation – it will not happen before Christmas. He added that leafleting is subject to separate licensing permission, and needed a permit under the Environmental Protection Act, with a

separate set of conditions (leafleters are not allowed to force their leaflets on people and are required to clear up any mess). The Two Pigs is no worse than any other night club in this respect. He also said that obstruction of the highway is also covered by separate legislation.

The applicant had no further comment.

Vote

Grant the application as applied for: 5 in support - unanimous

8. ANY OTHER ITEMS THE CHAIRMAN DETERMINES TO BE URGENT AND WHICH REQUIRES A DECISION

None.

David Willingham
Chairman

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Cheltenham Borough Council

"Miscellaneous" Licensing Sub-committee – 6 November 2019

Local Government (Miscellaneous Provisions) Act 1982

**Application for renewal of Sexual Entertainment Venue Licence
(19/02708/SEXR)**

Red Apple Associates Ltd.

Report of the Licensing Team Leader

1. Executive Summary

- 1.1 Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (“the Act”), as amended by section 27 of the Policing and Crime Act 2009, allows applicants to apply for, renew, vary and/or transfer a Sexual Entertainment Venue (“SEV”) licence where they wish to offer “relevant entertainment” (as defined at paragraph 3.3 of the report) on a frequent basis (as defined at paragraph 3.4 of the report).
- 1.2 In this case, an application was received on 10 September 2019 from Red Apple Associates Ltd for the renewal of the annual SEV licence in respect of the premises known as Two Pigs, located at Church Street, Cheltenham GL50 3HA:

Festival Trails Day 25/01/20 – 26/01/20	8pm – 5am
Cheltenham Gold Cup 09/03/20 – 15/03/20	8pm – 5am
The April Meeting 15/04/19 – 17/04/20	8pm – 5am
The Show Case Dates TBC	8pm – 5am
The November Meeting Dates TBC	8pm – 5am
The International Dates TBC	8pm – 5am
New Year’s Day 01/01/21 – 02/01/21	8pm – 5am

- 1.3 The existing SEV licence (ref 19/01978/SEXR) expires on 10 January 2020 and this renewal, if successful, will take effect for 12 months from 11 January 2020.

- 1.4 A redacted copy of the application form is attached at **Appendix A**, a copy of the premises layout is attached at **Appendix B**, the location map attached at **Appendix C** and the wider plan of the central shopping area is at **Appendix D**. A copy of the existing licence is attached at **Appendix E** along with the conditions applicable to the licence.

2. Implications

Legal Any applicant who is refused a licence may, within 21 days of being notified of the refusal, appeal to the local magistrates' court.

However, the right to appeal does not apply where the licence was refused on the grounds that:

- the number of sexual entertainment venues in the area exceeds the number which the authority considers is appropriate
- the grant of the licence would be inappropriate considering the character of the area, the nature of other premises in the area, or the premises themselves.

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Tel no: 01684 272015

3. Background

- 3.1 On 1 October 2010, Council approved the adoption of the amended provision of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 to take effect in the borough on 1 December 2010.
- 3.2 Since the adoption, any premises that want to offer "relevant entertainment" on a frequent basis can only do so by obtaining a SEV licence.
- 3.3 Relevant entertainment is defined as any live performance or any live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).
- 3.4 Under the Act premises can provide relevant entertainment on an infrequent basis without the need for a SEV licence. An infrequent basis is defined under the Act as follows: No relevant entertainment has been provided on more than 11 occasions within a 12 month period and no such occasion has begun within a period of one month beginning with the end of the previous occasion, and no such occasion has lasted longer than 24 hours. Any premises wishing to offer relevant entertainment more frequently are required to apply for a SEV licence.

4. Consultation

- 4.1 The applicant has advertised the application in accordance with the statutory requirements set out in Schedule 3 of the Act.

Consultation – Objections

- 4.2 In determining the application, Members must have due regard to any observations made by the Chief Officer of the Police and any other comments made by anybody else.

- 4.3 Members are to note in particular that any objection must relate to both or either of the mandatory or discretionary grounds for refusal set out below.
- 4.4 Objections made on moral grounds or values are not relevant to either the mandatory or discretionary grounds for refusal and should therefore not be considered relevant.

Consultation – Chief Officer of Police

- 4.5 The Police did not object or make any comments in relation to the application.

Consultation – Other Persons

- 4.6 In relation to this application the licensing authority received 14 objections. One objection was accompanied by a petition with 178 signatures.
- 4.7 These are attached to **Appendix F** of this report.

5. Policy Considerations

- 5.1 The council’s adopted policy statement in relation to the regulation and control of SEVs was adopted by Council on 13 October 2014 and this policy statement sets out the council’s guidance, application procedure, terms and conditions relating to the regulation of SEVs.
- 5.2 Below (para. 5.3 – 5.16) are relevant extracts from the policy to highlight relevant issues to Members. However, Members should read these in conjunction with the policy document for completeness and contextual understanding.
- 5.3 The Council does not take any moral stand in adopting this policy. The Council recognises that Parliament has made it lawful to operate a sex establishment and that such businesses are a legitimate part of the retail and leisure industries. It is this Council’s role as the Licensing Authority to administer the licensing regime in accordance with the law.

Determination (Section 10)

Mandatory Grounds for Refusal

- 5.4 A licence *cannot* be granted:
 - a) to any person under the age of 18 years;
 - b) to any person who is for the time being disqualified due to the person having had a previous licence revoked in the area of the appropriate authority within the last 12 months;
 - c) to any person, other than a body corporate, who is not resident in an EEA State or was not so resident throughout the period of six months immediately preceding the date when the application made; or
 - d) to a body corporate which is not incorporated in an EEA State; or
 - e) to any person who has, within a period of 12 months immediately preceding the date when the application was made, been refused that grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.

Discretionary Grounds for Refusal

- 5.5 A licence *may* be refused where:

- a) the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
- b) if the licence were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he made the application himself;
- c) the number of SEVs in the relevant locality at the time the application is made is equal to or exceeds the number which the Council consider is appropriate for that locality (nil may be an appropriate number for these purposes);
- d) the grant or renewal of the licence would be inappropriate, having regard:-
 - to the character of the relevant locality; and/or
 - to the use to which any premises in the vicinity are put; and/or
 - to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

Location of Premises (Section 11)

- 5.6 In deciding the appropriate number of premises to be licensed, the Council must consider the character of the relevant locality and what is the appropriate number of SEVs for the relevant locality. The number can be 'nil'.
- 5.7 Cheltenham is a relatively small urban borough that is predominantly residential in nature. The Council has already resolved that it is inappropriate to licence SEVs in or in the vicinity of, amongst others, residential areas. It is the Council's policy therefore that there is no locality outside of the adopted Central Shopping Area in which it would be appropriate to license a SEV. Accordingly the appropriate number of SEVs for outside of the adopted Central Shopping Area is nil.
- 5.8 The Council recognises however that the Central Shopping Area offers a more unique situation in as much as it has a much wider mix on offer, particularly in the night time economy and it may therefore be appropriate to consider applications for SEVs in the area. The Council has therefore resolved that it will not set a limit on the number of permitted SEVs in the adopted Central Shopping Area providing those premises are not near properties with sensitive uses or in sensitive locations.
- 5.9 A copy of the plan showing the Central Shopping Area is attached at **Appendix D**.

Properties with sensitive uses or in sensitive locations

- 5.10 In considering if the grant, renewal or variation of the licence would be inappropriate, having regard to the character of the relevant locality or to the use to which any premises in the vicinity are put, the Council shall consider, inter alia, whether the grant of the application would be appropriate, having regard to:
 - a) The fact that the premises are sited in a residential area;
 - b) Whether the premises are sited near shops used by or directed at families or children, or on frontages frequently passed by the same;
 - c) Whether the premises are sited near properties which are sensitive for religious purposes e.g. churches, mosques, temples; and/or

- d) Whether the premises are sited near premises or areas which are sensitive because they are frequented by children, young persons or families, including but not limited to educational establishments, leisure facilities such as parks, libraries or swimming pools, markets and covered markets.

Objections (Section 13)

- 5.11 When considering an application for the grant, renewal, variation or transfer of a SEV licence the Council will have regard to any observations submitted to it by the Chief Officer of Police and any objections that have been received from anyone else within the statutory consultation period.
- 5.12 Any person can object to an application provided that the objection is relevant to the discretionary grounds for refusal of a licence.
- 5.13 Objections should not be made on moral grounds or values and the Council will not consider objections that are not relevant to the grounds mentioned above.
- 5.14 Objectors must give notice of their objection in writing, stating the general terms of the objection.
- 5.15 Where the Council receives notice of any objection it will, before considering the application, give notice in writing of the general terms of the objection to the applicant. However, the Council shall not without the consent of the person making the objection reveal their name or address to the applicant.
- 5.16 Objections may only be made within the period of 28 days following the date on which the application was made to the Council.

6. National Guidance (March 2010)

- 6.1 The Government has issued non-statutory guidance to aid local authorities carrying out their functions under Schedule 3, as amended by section 27.
- 6.2 Although it is non-statutory guidance, local authorities are encouraged to have regard to the guidance when exercising their functions (although there is no statutory requirement to do so) in order to promote best practice and consistency across England and Wales.
- 6.3 Below (para. 6.4 – 6.14) are relevant extracts from the policy to highlight relevant issued to Members. However, Members should read these in conjunction with the guidance document for completeness and contextual understanding.

Meaning of Sexual Entertainment Venue

- 6.4 Paragraph 2A of Schedule 3 as inserted by section 27 sets out the meaning of a ‘sexual entertainment venue’ and ‘relevant entertainment’ for the purposes of these provisions. A sexual entertainment venue is defined as “any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer.” (para 2.1)
- 6.5 The meaning of ‘relevant entertainment’ is “any live performance or live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of an audience (whether by verbal or other means).” An audience can consist of just one person (e.g. where the entertainment takes place in private booths). (para 2.2)

Refusal of a Licence

- 6.6 When considering an application for the grant, renewal or transfer of a licence the appropriate authority should have regard to any observations submitted to it by the chief officer of police and any objections that they have received from anyone else within 28 days of the application. Any person can object to an application but the objection should be relevant to the grounds set out in paragraph 12 for refusing a licence. Objections should not be based on moral grounds/values and local authorities should not consider objections that are not relevant to the grounds set out in paragraph 12. Objectors must give notice of their objection in writing, stating the general terms of the objection. (para. 3.23)
- 6.7 When determining a licence application, the local authority must have regard to any rights the applicant may have under Article 10 (right to freedom of expression) and Article 1, Protocol 1 (protection of property) of the European Convention on Human Rights. (para. 3.30)
- 6.8 The Provision of Services Regulations 2009 amended Schedule 3 to the 1982 Act to state that, if having considered an application for the grant, renewal or transfer of a licence, the appropriate authority decides to refuse it on one or more of the above grounds, it must provide the applicant with reasons for the decision in writing. (para. 3.31)

Relevant Locality

- 6.9 Paragraph 12(3)(c) and 12(3)(d) of Schedule 3 allow appropriate authorities to refuse applications on grounds related to an assessment of the “relevant locality”. A licence can be refused if either, at the time the application is determined, the number of sex establishments, or sex establishments of a particular kind, in the relevant locality is equal to or exceeds the number that the authority considers appropriate for that locality; or that a sex establishment would be inappropriate having regard to the character of the relevant locality, the use to which any premises in the vicinity are put or the layout, character or condition of the premises. Nil may be the appropriate number. (para. 3.32)
- 6.10 Schedule 3 to the 1982 Act does not define “relevant locality” further than to say that:
- a. in relation to premises, it is the locality where they are situated; and
 - b. in relation to a vehicle, vessel or stall, any locality where it is desired to use it as a sex establishment. (para. 3.33)
- 6.11 Clearly, the decision regarding what constitutes the ‘relevant locality’ is a matter for the appropriate authority. However, such questions must be decided on the facts of the individual application. (para. 3.34)
- 6.12 Therefore, it is reasonable and potentially useful to future applicants, for a local authority to decide in advance of receiving any applications that certain areas are, or are not, appropriate locations for a sex establishment or a particular number of sex establishments. Nevertheless, all applications must be considered on their individual merits. (para. 3.35)

Licence Conditions

- 6.13 Once the appropriate authority has decided to grant a licence they are able to impose terms, conditions and restrictions on that licence, either in the form of conditions specific to the individual licence under paragraph 8 of Schedule 3 or standard conditions applicable to all sex establishments, or particular types of sex establishments, prescribed by regulations made by the appropriate authority under paragraph 13 of Schedule 3. (para. 3.39)

The Services Directive

6.14 Schedule 3 to the 1982 Act constitutes an authorisation scheme under Article 9 of the EU Services Directive 2006/123/EC (“the Directive”) which was implemented in the UK by the Provision of Services Regulations 2009 (“2009 Regulations”), which came into force on 28th December 2009. Local authorities must ensure they comply with the Regulations when applying the licensing provisions in Schedule 3. (para. 3.53)

7. Probity in Licensing (relevant extracts)

7.1 Cheltenham Borough Council’s Licensing Committee operates in a quasi-judicial way in determining contentious licensing applications and related matters.

7.2 The decisions that the Committee makes are significant and weighty. The Committee operates, for the most part, under its extensive delegated powers and it, rather than any other part of the council, actually makes the decisions. The decisions can have a considerable effect on the value of premises or other capital assets, on the amenities of people living near licensed premises and on the lives of applicants. Furthermore if the Committee makes a wrong or irrational decision this may mean that the council will face substantial costs if there is a successful appeal against the decision or if the decision is the subject of a legal challenge from an aggrieved third party.

7.3 Some licensing legislation specifies procedures to be followed but in all cases human rights and natural justice considerations dictate that the Committee adheres to the following principles in that decisions must:

- Be made on the individual merits of a case
- Have regard to all relevant national and local guidance
- Be made impartially and in good faith
- Be made by the body that receives all the relevant information and evidence
- Relate to the issue or question placed before the committee
- Be based only on consideration of relevant and material matters
- Be proportionate, rational and reasoned
- Be made in a way that engenders public confidence

7.4 Licensing Committee Members must vote in the best interests of the Borough as a whole and must not vote on the basis of local ward interests that may be contrary to a balanced licensing assessment in the light of the evidence before the members and wider policies and guidance.

7.5 Licensing applications must be determined on the basis of the documents and information that have been formally submitted and where all parties have had a proper opportunity to consider them.

7.6 Members must read and carefully consider the content of the circulated report before the meeting and they must have regard to its contents in reaching their decisions.

8. Officer Comments

8.1. When determining an application for a sexual entertainment venue licence, the sub-committee must have regard to the relevant statutory provisions, the council’s adopted policy, the relevant

guidance issued by the Home Office and any objections or comments made by the Chief Officer of Police and other persons. No objections or comments were made by the Chief Officer of Police.

8.2 In relation to the objections made by other persons, a number of issues have been raised by objectors that require clarification:

8.2.1 **Equality** – A number of objectors have made reference to the fact that the presence of a SEV makes them feel uncomfortable and unwelcome. The Committee must be mindful of its Public Sector Equality Duty when discharging its licensing functions.

The licensing and regulation of SEVs often creates a tension between the statutory right to operate such a venue and equality issues relating to discrimination and objectification of primarily women.

The starting point for the council is the fact that it cannot take any moral stand in relation SEVs in recognition that Parliament has made it lawful to operate a sex establishment. This starting point however does not mean that the council is therefore bound by the primary legislation at the expense of other statutory requirements.

When determining individual applications, the council must have regard to its PSED taking into account the individual merits of each application.

With reference to the objections, equality issues that may be relevant include:

1. The need to ensure that any protected characteristic group is not more, or less, welcome than another;
2. The need to properly consider the fear of any protected characteristic group using and accessing public spaces, facilities and infrastructure;
3. The need to properly understand the relevant locality and the need to ensure, taking into account the relevant locality, any protected characteristic group's view is taken into account such as those relevant to religion or belief or race;

Some or all of these equality issues may be addressed through appropriate conditions and robust enforcement. Equally, the licensing process may also be an important tool to achieve the same outcome, for example, licence reviews and policy changes.

8.2.2 **Properties with sensitive uses or in sensitive locations** - A number of objectors have made reference to the fact that the Two Pigs is located near properties the council's licensing policy would deem sensitive (see 5.10).

The Committee should be mindful of this and assess the merits of the application against the relevant policy provisions.

Members are also to note that whilst historically the committee has deemed the location appropriate for the licensing of a SEV, the Committee is entitled to change your mind on reconsideration of the fact and circumstances (R (Alistair Thompson) v Oxford City Council v Spearmint Rhino Ventures (UK) Limited [2014] EWCA Civ 94). The Committee is therefore not necessarily bound by previous decisions however if there is no relevant change of circumstances, the Committee has to give their reasons for departing from the earlier decision.

8.2.3 **Evidence** – Some objectors have commented that they are in possession of anecdotal evidence of crime, alarm and distress caused by the Two Pigs during times when they operating as a SEV. Whilst the Committee is under duty to take into consideration comments by “other persons”

(para. 4), these comments must be relevant and credible. Members must be mindful of this when deciding the appropriate amount of weight to attach to these comments.

Of particular importance are any comments and evidence submitted by the Chief Officer of Police.

- 8.3 The council's adopted policy on the licensing of SEVs defines areas that it considers appropriate for the licensing of SEVs and other areas in which it has resolved to adopt a zero limit.
- 8.4 In relation to this application, the premises are located within an area that the council has decided is appropriate for the consideration of applications for SEVs, providing those premises are not near properties with sensitive uses or in sensitive locations (see para. 5.10). The council has not set a limit on the number of SEVs that may be permitted inside this area.
- 8.5 Members are to note that the policy must not fetter the sub-committee's discretion to consider the individual circumstances and merits of the application but equally the sub-committee must not arbitrarily deviate from its policy without good reason.
- 8.6 The licensing sub-committee, in making its decision, should provide comprehensive reasons.
- 8.7 Having considered all the relevant matters, the committee must decide whether to:
 - a) Grant the application as applied for;
 - b) Grant the application subject to any additional terms, conditions and/or restrictions that are either specific to the licence or standard conditions; or
 - c) Refuse the application.

Background Papers

Service records

Sexual Entertainment Venues: Guidance for England and Wales (March 2010)

Cheltenham Borough Council Sexual Entertainment Venue Policy Statement adopted October 2014

Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, as amended by section 27 of the Policing and Crime Act 2009

Licensing Act 2003 Premises Licence ref 17/01580/PRMMV

Case Officer

Contact officer: Mr Louis Krog
E-mail: licensing@cheltenham.gov.uk
Tel no: 01242 262626

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Main Offices
CHELTENHAM BOROUGH
COUNCIL
MUNICIPAL OFFICES
PROMENADE
CHELTENHAM
GL50 1PP

Tel: 01242 775200
Fax: 01242 264210
email: licensing@cheltenham.gov.uk
www.cheltenham.gov.uk

LICENCE APPLICATION

NOTE Please read the explanatory notes attached before completing this application form

Local Government (Miscellaneous Provisions) Act 1982 Schedule 3
APPLICATION FOR A SEXUAL ENTERTAINMENT VENUE LICENCE

PLEASE NOTE
All applicants must complete Section A.
Section B to be completed if applicant is a company.
All applicants must sign declaration in Section C.

SECTION A

Application type (please tick ✓)
 New application
 Transfer of licence
 Renewal of existing licence
 Variation of licence

If renewal please state existing licence number
19 | 01978 | SEXR

Applicant's details:
Surname
BURROWS

Forename(s)
STEVEN JOHN

Address:
45 HAZEL AVENUE
TEWKESBURY

Post Code: GL20 7TU

Date of birth [dd/mm/yyyy]
National Insurance number
Daytime telephone number
Fax number

[Empty box for date of birth, NI number, telephone number, and fax number]

Email address INFO@EROTICATS.CO.UK

Agent acting on behalf of applicant (eg solicitor) if applicable: SOLICITOR

Name of agent: VIC YOUNIS

Address of agent: WALL JAMES CHAPPELL
15-23 HAGLEY ROAD
STOURBRIDGE
Post code 048 1QW

Daytime telephone number of agent 01384 371622

Email address of agent V4@WJCLAW.CO.UK

Name under which the business is to be known and traded as RED APPLE ASSOCIATES LTD

Address of premises for which this application is made TWO PIGS
CHURCH STREET
CHELTENHAM
GLOUCESTERSHIRE
Post code GL50 3HA

For what purpose do you intend to use this premises?
eg sex shop, sex entertainment venue SEXUAL ENTERTAINMENT VENUE

Do you have planning consent to use the premises stated above for the purpose intended?
(please provide details, and forward appropriate documentation to evidence this) YES

If this application relates to a vehicle, vessel or stall please give description (including site to be situated on)

Proposed days and hours of operation
(please tick ✓ and specify times for each day using the 24 hour clock)
eg: 23:00 that day or 02:00 on the day following

SEE ATTACHED.

- | | | | | |
|--------------------------|-------------|------|-------|-------|
| <input type="checkbox"/> | Sunday - | from | until | hours |
| <input type="checkbox"/> | Monday - | from | until | hours |
| <input type="checkbox"/> | Tuesday - | from | until | hours |
| <input type="checkbox"/> | Wednesday - | from | until | hours |
| <input type="checkbox"/> | Thursday - | from | until | hours |
| <input type="checkbox"/> | Friday - | from | until | hours |

Saturday - from _____ until _____ hours

Have you ever been convicted by a Court for any offence which is not now spent under the terms of the Rehabilitation of Offenders Act 1974?

Yes
 No
 (please tick ✓ as appropriate)

If **Yes**, please give details
 All unspent convictions must be disclosed (if renewal application, since you last applied for a licence)

(please continue on a separate sheet if necessary)

Date of Conviction	Name of Convicting Court	Nature of Offence

Are there any criminal proceedings against you pending?

Yes
 No
 (please tick ✓ as appropriate)

If **Yes**, please give full details including date of hearing and name of Court

Have you been a director or company secretary of a company involved in the ownership or operation of a sexual entertainment venue licence previously?

Yes
 No
 (please tick ✓ as appropriate)

If **yes**, please give details

Were there any convictions recorded against that company?

Yes
 No
 (please tick ✓ as appropriate)

If **yes**, please give details

SECTION B **To be completed if the applicant is a company**

Company name RED APPLE ASSOCIATES LTD

Company address UNIT 3 AMBROSE HOUSE,
METEOR COURT, BARNETT WAY,
BARNWOOD, GLOUCESTER
 Post code GL4 3GG

Company telephone number 01684 273875

Company fax number _____

Company email address EUROPEANEVENTS@LIVE.CO.UK

Full names and private addresses of all directors or other persons responsible for management of the company:

1	2	3
Name <u>STEVEN JOHN BURROWS</u>	Name:	Name:
Address: <u>45 HAZEL AVENUE</u> <u>TEWKESBURY</u>	Address:	Address:
Post Code: <u>GL20 7TU</u>	Post Code:	Post Code:
<div style="border: 2px solid black; width: 100px; height: 20px;"></div>	Date of birth:	Date of birth:
	National Insurance no.	National Insurance no.

Any convictions recorded against that person or those persons

Name and date of conviction	Name of convicting Court	Nature of offence	Sentence (if imposed)

Are there any criminal proceedings against that person or those persons pending? Yes No

(please tick ✓ as appropriate)

If **Yes**, please give full details including date of hearing and name of Court

SECTION C Declaration

All new and variation applications for sexual entertainment venue licences are considered by the Licensing Committee. Opposed applications for renewal and/or transfer will also be considered by the Licensing Committee. The applicant and/or their representative are required to attend the meeting of the Licensing Committee at which their application is due to be considered to speak in support of their application. They should be prepared to answer any questions which the Licensing Committee may wish to ask.

PLEASE NOTE
This application must be signed by the applicant personally or, in the case of a company, by a director or other duly authorised agent of the company.

I/We confirm that the contents of this application are true and correct.

I/We agree that if a licence is granted by Cheltenham Borough Council for a sexual entertainment venue licence, that I/we will comply with all Acts, Byelaws, Regulations and Conditions relating thereto and for the time being in force.

I/We understand that non-compliance with any relevant Acts, Byelaws, Regulations and Conditions will prejudice the continuance of any licence granted.

I/We understand that the council may utilise the information contained herein for internal purposes and may disclose the information to persons or organisations in accordance with the council's registration under the Data Protection Act 1998.

I/We, the undersigned, hereby apply for registration as a sexual entertainment venue licence within the Borough of Cheltenham and I/we declare that to the best of my/our knowledge and belief the foregoing statements are true and correct.

I/We understand that this licence will expire 1 year after it has first been granted or after a period of time decreed by the Licensing Committee, and a newly completed application form will need to be submitted to the local authority **two months before the expire of the existing licence, together with the licence fee current at that time.**

I/We further understand that once the completed application form has been submitted it will be submitted to environmental health, planning, building control and community safety officers of Cheltenham Borough Council together with the local police, fire service, parish councils, ward members or any other interested party for comment.

I/We understand that I/we must submit a copy of this application form to the chief officer of police for the area in which the premises are located and all other Responsible Authorities.

Signature of applicant

Name (s) in BLOCK CAPITALS

STEVE BURROWS

Capacity in which application is signed
(see note above)

Date

8/9/19

How to apply for a sexual entertainment venue licence

This application and the appropriate supporting documentation should be forwarded to the Licensing Team at the address on the front of this form.

Please read the guidance notes that accompany this application form. Failure to comply with the application procedure could result in a licence not being granted.

The following are required in order to proceed with the application:-

please tick the boxes below ✓ to confirm you have sent them

- **Application form** (all sections completed)
- **Copies of plans** delineating the specific rooms or premises to which this application relates, with escape routes (in case of emergency) indicated.
- **Copies of a location plan** showing the vicinity of the proposed premises with the premises themselves clearly marked.
- **Planning consent documentation** as confirmation that you have permission to use the premises for the purpose for which you are making this application.
- Any **additional information** in support of the application.
- **What you need to show to establish your identity**
This will be required from the applicant named in Section A
- **Driving Licence original(s) for inspection (paper and photo card counterpart)** which will be photocopied by an officer from Licensing Team. *If you do not have a valid photo card driving licence then a valid passport must be shown to the Licensing Officer.*
- **If none of the above are available then please supply one of the following original documents-**
Original birth certificate (or similar official document if born outside UK)
P45 / P60 Statement
Marriage certificate, passport

If you have any queries or require assistance in completing the application form, please contact our Licensing Team at the address on the front of this form, or telephone 01242 775200.

RENEWAL TO LICENCE NUMBER 19/01978/SEXR

Festival Trials Day

Saturday 25th January 2020 to Sunday 26th January 2020 8 pm – 5 am

Cheltenham Gold Cup

Monday 9th March 2020 to Tuesday 10th March 2020 8 pm – 5 am
Tuesday 10th March 2020 to Wednesday 11th March 2020 6 pm – 5 am
Wednesday 11th March 2020 to Thursday 12th March 2020 6 pm – 5 am
Thursday 12th March 2020 to Friday 13th March 2020 6 pm – 5 am
Friday 13th March 2020 to Saturday 14th March 2020 6 pm – 5 am
Saturday 14th March 2020 to Sunday 15th March 2020 8 pm – 5 am

The April Meeting

Wednesday 15th April 2020 to Thursday 16th April 2020 8 pm – 5 am
Thursday 16th April 2020 to Friday 17th April 2020 8 pm – 5 am

The Show Case*

Dates to be confirmed 8 pm – 5 am

The November Meeting*

Dates to be confirmed 8 pm – 5 am

The International*

Dates to be confirmed 8 pm – 5 am

New Year's Day

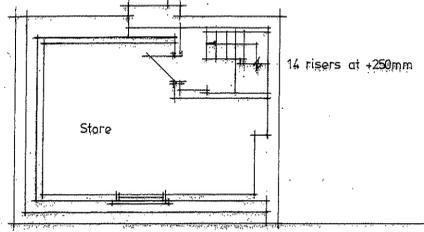
Friday 1st January 2021 to Saturday 2nd January 2021 8 pm – 5 am

*Please note the dates are yet to be confirmed by the racecourse. The dates will coincide with the dates as and when confirmed by Cheltenham Racecourse which will be notified to all interested parties.

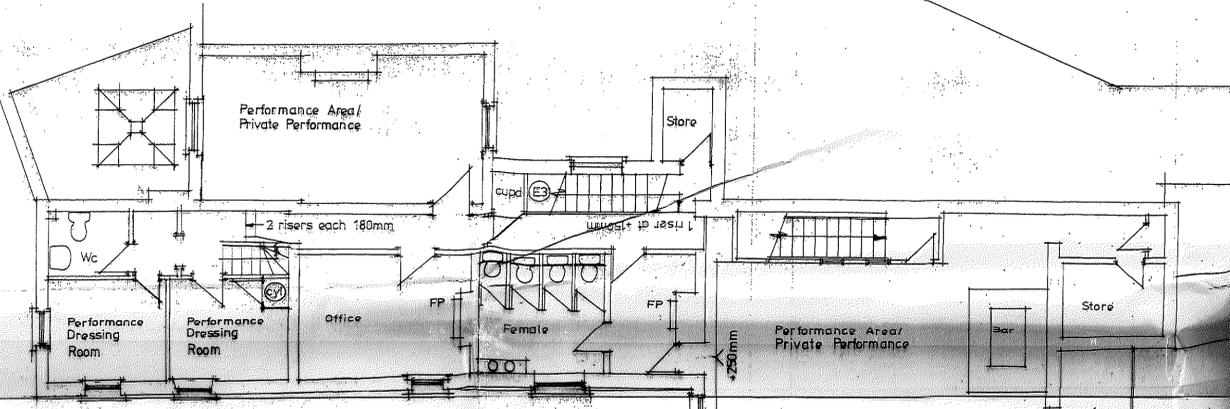
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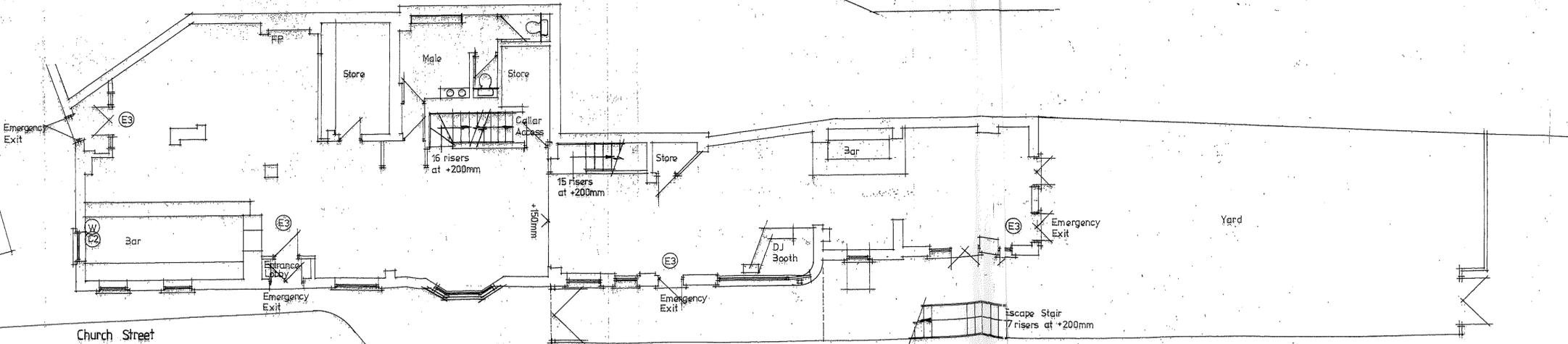
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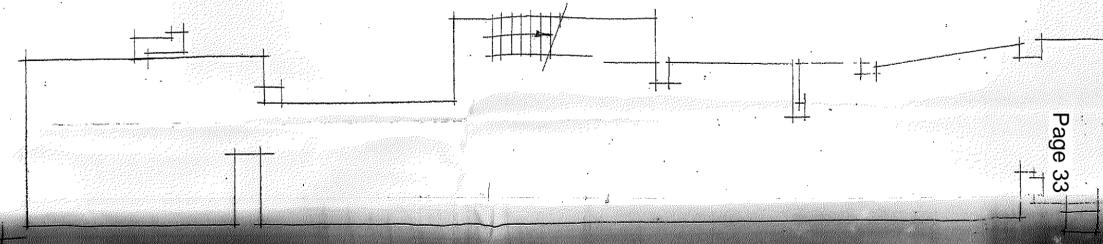
GROUND FLOOR PLAN
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NORTH WEST ELEVATION
1:100



CELLAR FLOOR PLAN
NTS

Page 33

Church Street

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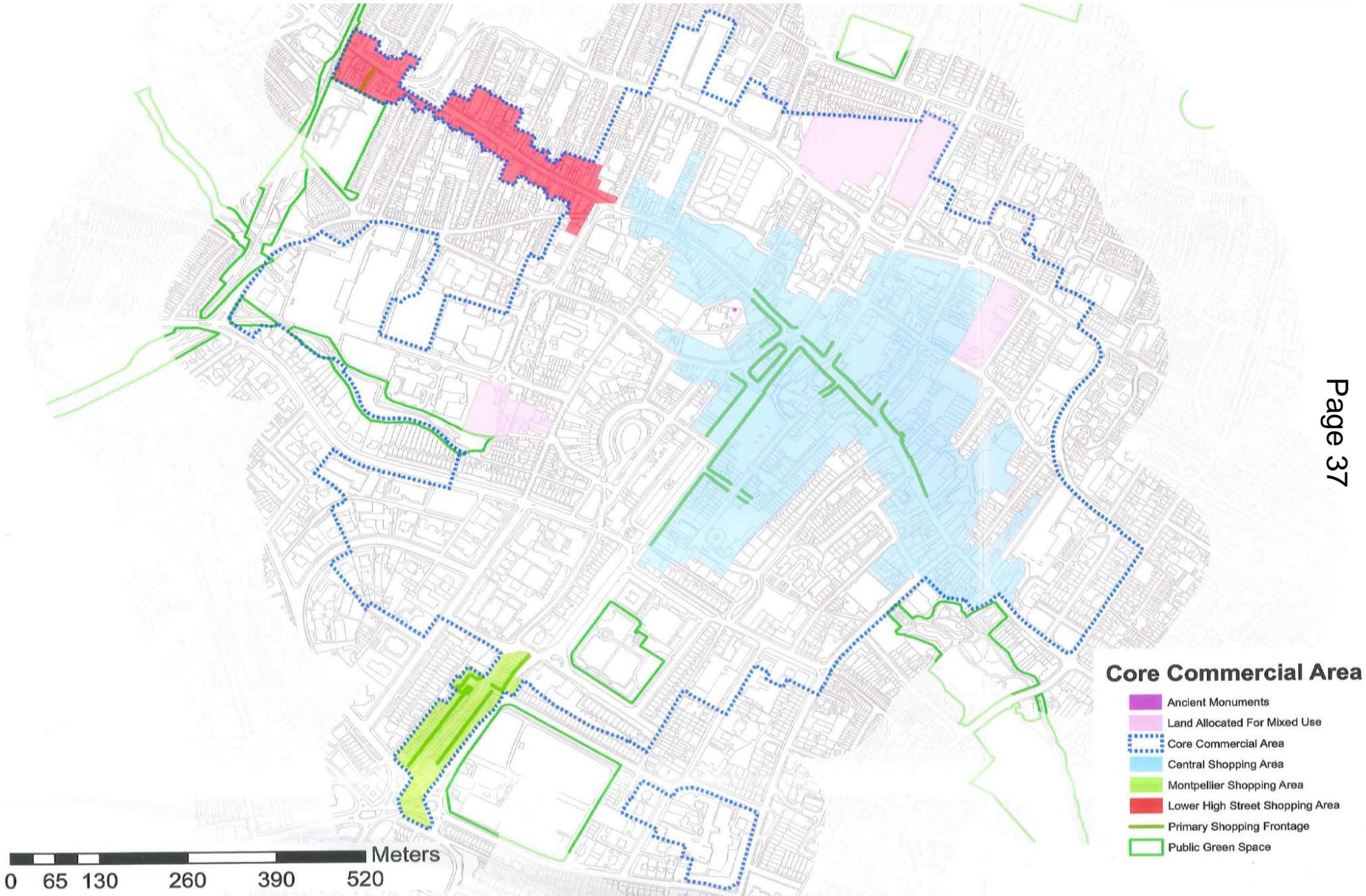
**Application for renewal of Sexual Entertainment
Venue Licence (19/02708/SEXR)**

1:1000

18 October 2019



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CHELTENHAM
BOROUGH COUNCIL

Local Government (Miscellaneous Provisions) Act 1982 – S.2. And Schedule 3

SEX ESTABLISHMENT LICENCE

Licence Ref No: **19/01978/SEXR**

Cheltenham Borough Council using its powers under the above legislation

HEREBY GRANT LICENCE to **Red Apple Associates Ltd**

to use the premises known as: **Two Pigs**
and situate at: **Church Street**
Cheltenham
Gloucestershire
GL50 3HA

This licence shall be in force from **8 July 2019** to **11 January 2020**.

A fee of **£892.50** has been paid (Receipt No. **690288**)

Date of issue: **8 July 2019**

Hours which premises may be open for entertainment:

- **The Festival** - 2019 March 11th 8pm - 5am, 12th March 6pm -5am, 13 March 6pm - 5am, 14th March 6pm - 5am, 15th March 6pm - 5am.
- **The April Meeting** - Wednesday 17th 8pm - 5am & Thursday 18th 8pm - 5am
- **The Showcase** - Friday 25th to Saturday 26th October 2019 8pm - 5am & Saturday 26th to Sunday 27th October 2019 8pm - 5am
- **The November Meeting** - Friday 15th to Saturday 16th November 2019 8pm - 5am, Saturday 16th to Sunday 17th November 2019 8pm - 5am & Sunday 17th to Monday 18th November 2019 8pm - 5am
- **The International** - Friday 13th to Saturday 14th December 2019 8pm - 5am & Saturday 14th to Sunday 15th December 2019 8pm - 5am

This Licence is granted subject to the Council's Standard Conditions for Sex Establishment licences and any additional Special Condition(s) set out in the Schedule attached.

Director – Environmental & Regulatory Services

Dated: **8 July 2019**

LICENSING : PUBLIC PROTECTION



CHELTENHAM
BOROUGH COUNCIL
Second Schedule

Regulations prescribing standard conditions for Sex Establishment licences

1. In the event of a conflict between these Regulations and any special conditions contained in a licence relating to a sex establishment, the special conditions will prevail.
2. The grant of a licence for a sex establishment will not be deemed to convey any approval or consent which may be required under any enactment by law, Order or Regulation other than the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982.
3. The premises must be used only for the purpose it has been licensed - as a sex shop or a sex cinema. The meaning of these terms are defined in the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982. The use of any apparatus for the reproduction of vision or sound will not be allowed within any premises licensed as sex shop without the express permission of the licensing authority.
4. A copy of the licence and the conditions attaching to it must be exhibited within the premises to be clearly visible to customers at all times.
5. The names of the proprietor of the business and of any persons who are in charge of the day to day running of it must be prominently displayed within the premises throughout the period which they are responsible for its conduct. These names should be shown alongside the licence and be clearly visible to the customers on the premises at all times.
6. The premises must not be opened and used as a licensed sex establishment outside of the hours permitted in Schedule 1 of the licence unless written consent has been obtained from the council.
7. Any premises licensed either as a sex shop or a sex cinema must remain closed on a Christmas Day, Good Friday and Easter Sunday.
8. There must be no displays or advertisements on the outside of any sex establishment or visible from outside the sex establishment other than those permitted by the council.
9. If the council has granted consent for the use of apparatus for the reproduction of vision or sound (as per condition 3), that vision or sound must not be seen or heard from outside the premises.
10. The licensee must retain control over all portions of the premises and must not let, licence, or part with possession of any part of the premises.
11. The licensee must maintain good order in the premises.
12. No person under the age of 18 can be admitted to the premises or employed in the business of the premises and the persons specified in condition 5 must make all necessary enquiries to this end.
13. The licensee must ensure that the public are not admitted to any part or parts of the premises other than those which have been approved by the council.

14. The only displays or advertisements permitted are:
 - (i) A notice fixed to the entrance to the premises clearly stating "WARNING - Persons passing beyond this notice will find material on display which they may consider indecent. No admittance under 18 years of age."
 - (ii) A notice stating the opening hours of the premises.
 - (iii) The words 'Two Pigs' – 'Adult Store' – 'Additional Car Parking At Rear' – 'Two Pigs Customer Car Park'

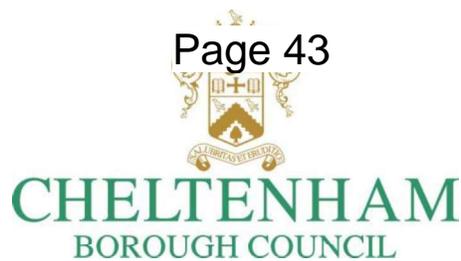
Any such display or notice would be subject to the approval of the Local Planning Authority, if appropriate.
15. The entrances to the premises and all other openings including windows, must be of a material or covered with a material which will render the interior of the premises invisible to passers by.
16. The premises must be conducted primarily for the purpose of the sale of goods by retail
17. Any article, magazine or other item must be discreetly wrapped before customers take it from the premises.
18. The external doors to the premises must be fitted with a device to provide for their automatic closure and such devices must be maintained in good working order. The external door must only be opened at such time or times as people require access and egress to the interior of the premises.
19. A partition must be provided within the entrance of the premises to screen the interior of the premises from passers by at all times that the entrance doors can be opened.
20. All external parts of the premises adjacent to the street must be kept in a well maintained condition and in good decorative order.
21. All parts of the interior of the premises must be kept in a clean and wholesome condition to the satisfaction of the council.
22. The licence must not be assigned or transferred without the prior written consent of the council.
23. Any application to vary the conditions of the licence will be advertised in the same manner as an application for the issue, renewal or transfer of the licence.
24. The standard fee to accompany an application for a sex establishment licence or for renewal or transfer of that licence will be the fee as prescribed in the fees schedule prevailing for the year in which the licence is to be exercised.

Special Conditions

1 STANDARD CONDITIONS REGARDING SEXUAL ENTERTAINMENT VENUES

General Conditions:

1. The premises shall only permit adult entertainment between the hours of 20:00 hours and 05:00 hours the following morning as determined by the licensing committee.



2. Only activities which have previously been agreed in writing by the Council shall take place.
3. The agreed activities shall take place only in designated areas approved by the Council.
4. There shall not be displayed outside the premises, in the immediate vicinity, or elsewhere within the Town any advertisements, photographs or images that indicate or suggest that striptease-type dancing takes place on the premises.
5. Any flyers advertising the adult entertainment must not display any photographs or images of the entertainment and any images must be approved by the Advertising Standards Agency and not be handed to persons who look under the age of 21. Any handbills must only be distributed after 19.00hrs with the exception of race days. Examples of the handbills that are in use shall be lodged with the licensing authority prior to their distribution.
6. No flyers or similar promotional material for the premises shall be distributed within the Town.
7. Rules shall be produced by the licensee for customers indicating conduct that is deemed acceptable. These rules shall be prominently displayed at all tables and at other appropriate locations within the club.
8. A clear Notice shall be displayed inside the entrance to the premises in the following terms:
"Striptease-style entertainment takes place on these premises. No persons under 18 shall be permitted in the premises."
9. The performance must not be visible from the street, and any person who can be observed from the outside of the premises must be properly and decently dressed. Scantily-clad individuals employed in the premises must not exhibit themselves in the entrance or in the vicinity of the premises.
10. When the premises are open for Striptease/Lap/Pole Dancing no person under the age of 18 shall be permitted to be on the premises. Anyone appearing to be under the age of 21 years shall be asked to produce valid photographic identification. If this is not produced the individual shall be refused access.
11. The premises shall maintain a Refusals Log whereby any occasion a person is refused entry shall be recorded and available upon request by the Police or an authorised officer of the Council.

Conditions regarding Performers:

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12. Striptease and similar entertainment may only take place in 'designated areas' that are marked on the plan of the premises.
13. The entertainment shall be provided by professional performers only. The audience must at all times remain fully-clothed.
14. Performers shall be aged not less than 18 years and the licence holder (or his nominated deputy who is authorised in writing) shall satisfy him/herself that this is the case by requesting valid photographic ID, if necessary, prior to the performance.
15. A 'Signing-in' Register shall be kept at the premises that records the time that the performer starts and finishes at the premises. This shall be made available for immediate inspection by a Police Officer or authorised Officers of Cheltenham Borough Council (who will carry identification).
16. During any performance there must be no physical contact between the performer and any member of the viewing public.
17. No performances shall include any sexual act with other performers.
18. No performances shall include any sexual act with objects.
19. There shall be no nudity by performers in public areas of the premises, unless the Council has agreed in writing that the area may be used for performances of sexual entertainment.
20. At the completion of the relevant entertainment the performers shall dress themselves immediately and leave the designated performance area. Performers not engaged in performing shall not remain in any area in a state of undress.
21. Performers must not solicit, divulge or exchange with customers any personal contact information including but not limited to: addresses, phone numbers, email address or social media profile information. Performers must not liaise with customers off the premises or incite customers to purchase alcoholic drinks
22. An appropriate room shall be set aside to provide a changing and rest area for performers. Access to this room shall be restricted to performers only, whilst the performers are on the premises and shall be marked on the plan of the premises.
23. Any bodily contact between entertainers or performers or any movement that indicates sexual activity or simulated sex between entertainers or performers is strictly forbidden.
24. Entertainers or performers not performing must not be in a licensed area in a state of undress.
25. There shall be prominently and legibly displayed a comprehensive tariff of all charges and prices in respect of relevant entertainment, including any charge for the company of any person working at the premises, which shall be placed in such a position that it can at all times be easily and conveniently read by persons inside the premises.

Briefing:

26. Prior to performers carrying out any activity on the premises, they shall be briefed (verbally or in writing) by the licence holder or his nominated deputy who is authorised in writing as to the conditions that pertain to these particular premises, including the fact that their activities will be recorded on CCTV. The performer(s) shall sign in the Register that they have been briefed.

Door-Supervisors:

27. Subject to a minimum of two, SIA-registered door-supervisors shall be employed at a minimum ratio of 1:50 customers on the premises whilst Striptease/Lap/Pole-dancing activity is taking place.

28. The licence holder, or his nominated deputy who is authorised in writing, or door-supervisors, shall carry out regular monitoring of all areas of the premises to which the public have access, and shall intervene promptly, if necessary, to ensure compliance with Licence conditions by customers and performers.

29. Door-supervisors shall regularly monitor the area immediately outside the premises for a distance of 30 metres in all directions and shall take steps to deal with (by alerting the Police if appropriate) any unsavoury activity that may be attracted to the vicinity due to the nature of the business.

30. A dedicated SIA-registered door supervisor shall remain at all times in any 'private' performance area where performers are performing nude, and shall intervene promptly, if necessary, to ensure compliance with the Licence conditions.

31. When performers leave the premises they are to be escorted to their cars or taxi by a door- supervisor or member of staff.

CCTV System:

32. A digital CCTV system shall be installed and be maintained in good working order, shall record at all times the premises are open, and recordings shall be kept for 14 days. The CCTV system is to be installed in all areas as recommended by the Police Crime Reduction Officer

33. The CCTV recording device, controls and recordings shall be kept under suitable security to prevent unauthorised access/tampering. Access shall be restricted to the licence holder or his nominated deputy who will be authorised in writing and no more than two designated persons.

34. Unaltered CCTV recordings shall be provided on request (as soon as possible and in any event within 24 hours) to the Police or authorised Officers of the Cheltenham Borough Council (who will carry identification).

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35. No CCTV footage is to be copied, given away or sold (except as required by Police/Council for investigation/enforcement purposes).
36. Except in accordance with the requirements for CCTV as described above, no photographs, films or video recordings shall be taken of the performances. Nor shall electronic transmissions of performances take place.
37. Notices shall be displayed informing customers of the presence of CCTV.

Dear Members of the Licensing Committee,

As you are aware Cheltenham is very busy at certain periods when the Cheltenham Races are on. Local people understand the reason why, and they are generally happy to go along with this believing that it will benefit the town.

However it is with distress that we have found that we should accept a continuation of the Sex Establishment licence held by The Two Pigs Pub in Church Street, from 8 p.m. to 5 a.m.

The activities around these premises make us feel uncomfortable in this area. It is not the best of areas normally, with rubbish and alcohol left around the pathway. The cemetery is often misused and the people who open St Mary's church are doing an amazing job.

To add a sex licence during the period when many people are already suffering from excess drink, makes us feel very uncomfortable. To the point where we will have to avoid coming into Cheltenham and going to The Brewery Cinema or the Bowling Alley.

We would like you to reject this application as we are not given equal access in this area of the town.

Dear Mr. Krog - Licensing Team leader of Cheltenham
Borough Council

I was saddened to hear that the "Two Pigs
Pub." near The Minster Church had applied
to renew its ~~sex~~ sex establishment licence.

My concern is the young people with
severe hearing ^{disabilities} who use The Floor at The
Top of the Children's library about 100 yards
from The Pub.

They are very vulnerable. They meet their
Staff Monday to Friday, just for about
an hour. The rest of their day they wander
around the shops and the town.

They do have some visits to the Swimming
Pool and other sport activities, but most
of the time they love to chat, often go in the
Minster where they feel wanted.

My fear is that they may hear about "The
2 Pigs licence" and because of their negativity
want to join in.

Their Staff are very supportive but it is
to difficult to cope, when as these are
the more able of those with hearing disability
are encouraged not to spend all their time
in their Care Home.

My son of 52 has hearing disabilities and has
spent all his life with my husband (who died 3 years
ago) and ^{and} are other son who lives in Surrey with his
wife & young family.

We have campaigned for other children & adults
and love their gregarious manner. So I do not
want them to be lost simply because they've
been encouraged to go in the Pub.

We object to the renewal of the license on the grounds of fear of threat, harassment, discomfort, unwanted sexual advances and therefore prevention of equality of access to the town centre for all. We cannot believe that this is the sort of atmosphere that the Borough Council wishes to encourage during Race Weeks & we urge you to reject the renewal application.

Renewal of Sex Establishment Licence for The Two Pigs

Please find enclosed a petition from a large number of members and users of St Matthews and Cheltenham Minister objecting to the renewal of this licence.

We are objecting under the relevant objection d) the grant or renewal of the licence would be inappropriate, having regard: i) to the character of the relevant locality. In particular, we object to the change of character of the area around the Two Pigs during race weeks and the prevention of equality of access to the town centre for all.

Renewal of Sex Establishment Licence for the Two Pigs Pub

"We the undersigned object to the renewal of this licence. We understand that the licence will allow shows with live sexual performances from 8pm to 5 am on every night of race meeting weeks throughout the year, including Sundays.

Anecdotal evidence is that it is common for people to be targeted, propositioned, groped and feel threatened and insulted in the town centre during race weeks. This is exacerbated by the sexual entertainment provided by The Two Pigs and buses with sexually explicit images and loudspeakers collecting clients from all over the town and transporting them to The Two Pigs. Many people avoid the town centre during race weeks as a result. Maggie Stewart (the Director of GRASAC - Gloucestershire Rape and Sexual Assault Centre) has provide the Police with statistics showing a rise in sexual harassment and sexual assaults on both women and men during race weeks.

We object to the renewal of the licence on the grounds of fear of threat, harassment, discomfort, unwanted sexual advances and therefore prevention of equality of access to the town centre for all. We cannot believe that this is the sort of atmosphere that the Borough Council wishes to encourage during race weeks and urge you to reject the renewal of the licence."

*** 178 signatories attached to this objection.**

To whom it may concern:

I am writing to express my objection to the renewal of The sexual entertainment establishment licencing at The Two Pigs in Cheltenham (Reference: 19/02708/SEXR).

In my experience as an Independent Sexual Violence Adviser, I have seen that incidents of women being sexually harassed, groped, cat called and sexually assaulted are commonplace during Cheltenham Race Week. Furthermore, sexist and harmful sexual behaviour is ubiquitous in the town at this time. This has led women to feel unsafe, humiliated, degraded and threatened.

My concern is that the sexual entertainment provided by The Two Pigs will encourage men to view women as objects without emotions and preferences and this in turn can promote the idea that they can be acted upon without consent.

I hope these views can be taken into consideration.

I have copied this representation to my ward councillors for information.

I understand that an application has been submitted to renew the Sexual Entertainment licence for the premises known as 'The Two Pigs', Church Street GL50 3HA.

I objected to the application to grant this licence when it was made in 2016 (16/01471/SEXA), and on the same grounds I object to this renewal application.

For ease of reference I will repeat below the principal grounds of my objection, now slightly amended:

The Council's own policy statement on sexual entertainment venues was adopted in October 2014. That Policy Statement lists the matters to which the Council should have regard when considering whether, using its discretionary power, it is appropriate to grant an application or a renewal, with further guidance in paragraph 11.4 on sensitive locations.

The address of the Two Pigs is 'Church Street', which itself gives an indication of the location of the venue. The entrance door to the venue opens onto one of the 'Minster Walkways', or 'Minster alleyways'. These have been the subject of proposals to improve their attractiveness and safety as pedestrian walkways into the Minster Churchyard area, and also as part of the Council's overall medium to long term intention to see rejuvenation of the Minster Churchyard as pleasant green amenity space in the heart of the town, around the Grade 1 listed Minster (the oldest building in Cheltenham) itself.

The plan to rejuvenate the Churchyard would see the area increasingly frequented by families and children (see Policy Statement 11.4 (d)) some of whom no doubt would pass the doorway of the proposed venue in order to access the area and to access the Children's library (Policy Statement 11.4 (b)) adjacent to the Churchyard.

Further, it must be manifestly evident that the Minster itself is a property which is 'sensitive for religious purposes' (see Policy Statement 11.4 (c)) It seems quite clear that The Two Pigs (itself on the very edge of the boundary of the 'blue' Central Shopping Area as indicated on the plan in the Policy statement, being on the only area in which the Council is prepared to consider the grant of such licences) is near to both a property with a sensitive use (The Minster, Policy para 11.4 (c)) and to an area which is a sensitive location (the Minster Churchyard, Policy para 11.4 (b) and (d)).

For these reasons I object to the Application to Renew the Licence and ask that it is rejected by the Council.

Dear Sirs

I understand that there has been an application to renew the Sex Establishment licence held by the Two Pigs Pub in Church Street, Cheltenham. There is little information on the CBC web page but I am aware that the current licence for this type of entertainment relates to all the dates on which Racing takes place at Cheltenham Park Racecourse and hours allowed by the licence are from 8 pm to 5 am.

I object to this on the grounds that the activities in the vicinity of these premises generated by the numbers of customers attracted make it uncomfortable and unsafe to access the area. I feel that this leads to a failure in the Council's responsibility to ensure public equality access. The inequality of access is such that I do not feel safe to traverse the High Street or the area around the Minster, meaning that I cannot use the bus services in this area, which is otherwise only pedestrian access. Neither can I get to venues in this part of town during the days when the Two Pigs holds the extended licence without fear of unwanted interaction and insult..

It is not right that I should find areas of this town too intimidating and threatening to access during Race meetings and I look to the Councillors to consider their duty to ensure that there is public quality access within the town when they consider this application.

I am writing to object to the renewal of the sex establishment license for the Two Pigs, Cheltenham.

I object on the grounds of women's safety and gender equality.

We are in the year 2019, why are places still being provided where men treat and view women as disposable sexualised commodities? Why are we still debating if sexually exploiting women is moral? Paying for something doesn't make it moral.

Objectification of women is dehumanising. Dehumanisation is the first step in being able to commit violence against someone. 'Strip clubs' encourage men to treat women like second class citizens, this behaviour and attitude is not 'contained' in the 'sexual entertainment venue', it spills out into our courtrooms, our lawmakers and licencing committees, our classrooms, our workplaces, our families, and attitudes towards rape and sexual abuse victims. It affects how women and girls view themselves and what boys and men think is an acceptable way to treat girls and women.

<https://www.kent.ac.uk/news/society/12377/link-between-sexual-objectification-andaggression>

It is a human right for women to feel safe and be free of violence, that includes the threat of violence and being seen as a person, not an object. This includes women who work in strip clubs as well as women who don't. The men going to these establishments do not differentiate once they come out.

Sexualising women and girls leads to violence. Even 'cat-calling' is scary – being reduced to an object is scary – if you respond you risk escalating the bad behaviour, if you don't respond you are left feeling humiliated. Cat calling is never a compliment. This is the type of behaviour that Cheltenham council are condoning if they allow 'sexual entertainment venues'. Condoning the objectification of women, that women are there for male gratification. I don't want to go to a city that sends that message.

From the website: <http://www.lwa.org.uk/understanding-abuse/statistics.htm>

"It has been estimated that domestic abuse costs the public £23 billion per annum. This includes the cost to the criminal justice system, to the health service, to social care and to housing. It is widely accepted however that this figure is an under-estimate as there are so many costs that can not be measured.

The Home Office estimates that each domestic abuse murder costs the country just over £1 million and totals £112 million per annum."

The ideal would be no 'sexual entertainment' venues, as Iceland have introduced. Why should few profit (eg. the owners of these exploitive 'sexual entertainment' venues) while male sexual violence towards women is still such a problem. Reported rape and sexual assault statistics are at the highest ever, this can change if we change the attitudes towards women and it starts by not having women as objects in 'sexual entertainment venues'.

GRASAC would wish to object to the renewal of the Two Pigs SEV licence.

GRASAC has written evidence from clients and those accessing GRASAC website that there are many cases of respondents experiencing sexual abuse or harassment during race weeks, either in the vicinity of Church Street where the Two Pigs is, or within a wider area of the town. GRASAC's evidence suggests that this is more often not reported to police with one respondent stating 'I have never reported anything on race-week, that behaviour seems to be normalised in Cheltenham' (cat calling, groping, aggression, shouting obscenities were noted by the respondent).

Another respondent stated ' I have worked as a glass collector when a man grabbed my bottom. I was unable to move away due to the crowd and my hands were full of glasses. The group of men with him all cheered and laughed'.

Within the wider area, another respondent note 'I was walking through the centre at around 6.30 having just finished work. Two racegoers came up to me and started telling me they wanted to spend some of their winnings on me, They kept asking how much for both of them, I kept walking and they kept following, there were loads of police so I walked towards one and told them that had happened. The officer just said ' it's race week, they are just having fun. Don't worry'. I decided to try and get a taxi instead of waiting for my bus. They continued to follow me, then they grabbed me and both groped me. I will now refuse to work during race week and this year took some days off on holiday'.

Verbal information from clients of GRASAC and written evidence suggests that there are a number of instances where women and girls do not feel safe and do not have equal access to both the area where the Two Pigs is located and the town centre and GRASAC is therefore objecting to the licence on the grounds of the local authority's Public Sector Equality Duty as it is clear that in both the area of Church Street and the town, women are unable to walk freely and without consequence. In additional, Location of Premises (Section 11) states "In deciding the appropriate number of premises to be licensed, the Council must consider the character of the relevant locality and what is the appropriate number of SEVs for the relevant locality. The number can be 'nil'".

Dear Sir/Madam

I write concerning the application by the 2 Pigs establishment in central Cheltenham for a renewal of its Sex Entertainment Licence. I understand that they wish to expand this to include all race meeting dates, not just Gold Cup week in March.

I ask that you seriously consider what sort of town you wish Cheltenham to be.

Is this really in keeping with the town's heritage and ambiance?

I understand that you have been sent a statistical analysis showing how sex related crime rises when such entertainment occurs. As such information becomes more widely available, one can only presume that more people will be repelled from being in central Cheltenham. I suggest that, in time, licenses such as that sought by the 2 Pigs will lead to lower economic outcomes.

I understand there is an application to renew the 'sex establishment licence' during race weeks. If this is allowed it seems that there will be rise in the number of instances of sexual harassment and assault during those times and the town centre will become a place to avoid for most people. I also fear for the safety of the women involved in this activity.

I urge you to reject this application.

Dear Mr Krog

I write to make an objection to the proposed renewal of the above licence for the Two Pigs Pub. The purpose of the licence, the nature of the establishment and the consequences of granting permission for its activities would seem to contradict everything that our modern society is campaigning about. Safety, abuse of both men and women, and intimidation are issues high on our agenda and surely it cannot be right that our own Borough Council could condone this.

I urge you not to renew this licence.

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I am writing to you in relation to the Renewal of Sex Establishment Licence for the Two Pigs Pub.

I cannot describe the shock I had this year in March when a friend of mine came to be my guest and she slept in a spare room overlooking the two pigs. I am not complaining about the noise this pub makes, because I have already done that to the relevant authorities. I am making a complaint about the naked women walking through the back court of the pub back and forth (the temperature outside was 5-7 degrees) and up and down through the stairs outside (probably they lead to some room for sexual activity).

Up to that time (March 2019) I had not realised what this pub hides. And because I was astounded I did not think that I could take some photos and to send to you.

Could you, please, stop this abomination in God`s eyes and in the civic society`s eyes as well.

If you did that I would be very grateful to you.

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