

Consultation - Review of Sexual Entertainment Venue Licensing Policy

58 Responses 25:59 Average time to complete Closed Status

1. Name (optional)

23 Responses

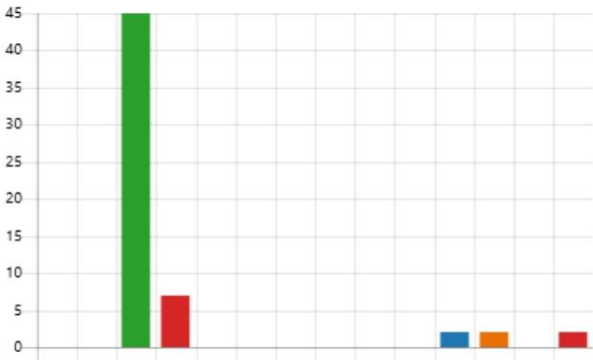
Latest Responses

"GRASAC"



2. Which best describes the capacity in which you are responding to this consultation:

A councillor / committee	0
A Member of Parliament	0
A resident of Cheltenham	45
A resident not of Cheltenham	7
A performer	0
A sexual entertainment venue ...	0
A customer of sexual entertain...	0
A licence holder (bars, clubs, e...	0
A non-licensed / other busine...	0
A statutory body (police, OPC...	0
An advocacy or other group / ...	2
A support service / organisati...	2
A religious organisation, grou...	0
Other	2



3. Do you agree, or disagree, with the authority's continued preference towards licensing and regulation as opposed to SEV operating unlicensed under the infrequency exemption



From other sources:

Agree: 2 Disagree: 2

4. Please provide any further comments you wish to make in relation to your answer (optional).

32
Responses

Latest Responses

"GRASAC neither agrees or disagrees. The current workings..."

"Current policy has not followed the rules to limit near sen..."

"This must always be open to annual questions"

5. The authority has the discretion [5] to set a nil limit for licensed SEVs in any "relevant locality". Relevant locality could be defined as the entire borough of Cheltenham or different parts within the borough.

The authority's existing licensing policy sets two relevant localities:

1. An adopted "Designated Permitted Area" [6] where the policy sets no limit on the number of licensed SEVs; and
2. The rest of the borough where the policy sets a nil limit.

The authority is not proposing a change to the existing two relevant localities.

The authority is of the view that the existing policy rationale for the two relevant localities remains relevant. That is that Cheltenham is a relatively small urban borough that is predominantly residential in nature. The authority has already resolved that it is inappropriate to license SEVs in or in the vicinity of, amongst others, residential areas. It is the authority's view therefore that there is no locality outside of the Designated Permitted Area in which it would be appropriate to license a SEV.

[5] 12(3)(c) of the Local Government (Miscellaneous Provisions) Act 1982

[6]

https://www.cheltenham.gov.uk/downloads/file/10187/sexual_entertainment_venues_designated_permitted_area

Do you agree, or disagree, with the authority's proposal to maintain the existing relevant localities and the limit(s) set for each?



From other sources:

Agree:0 Disagree: 5

6. Do you have any other comments to make in relation to this? (optional)

23
Responses

Latest Responses

"GRASAC do not consider any locations within the borough...

"Area should be smaller. Cambray Place and Bath Street sh...

"Given that there are 2 locations and you wish the trade to...

7. However, the authority recognises that the Designated Permitted Area within the town centre offers a more varied 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.

Within the Designated Permitted Area the town centre, the authority is proposing to set a maximum limited of two licensed SEVs.

The rationale for setting this maximum limit is based the fact that licensing history and experience has suggested two licensed SEVs are sufficient to satisfy demand for this type of licensed activity and supports the proposed "Acquired Rights" (discussed later in this consultation document) policy.

Do you agree, or disagree, with the authority's proposal to set a maximum limit of two licensed SEVs within the Designated Permitted Area the town centre?

● Agree 21
● Disagree 37



From other sources:

Agree: 0 Disagree: 4

8. Do you have any other comments to make in relation to this? (optional)

31
Responses

Latest Responses

"GRASAC disagree with the proposal, the appropriate limit ...

"The Cambray Place venue is unsuitable, even unlawful on ...

9. Additionally, the authority is proposing to amend the Designated Permitted Area within the town centre so to extend that area to incorporate parts of the Promenade (A4015) not currently covered.

The rationale for this is the acknowledgment that the Licensing Committee has consistently granted a SEV licence in this location despite it falling outside the designated area. Whilst each application is determined on its individual merits, the licensing in this proposed area has set some precedence to justify the proposed change.

Do you agree, or disagree, with the authority's proposal to amend the Designated Permitted Area within the town centre so to extend that area to incorporate parts of the Promenade (A4015) not currently covered?



10. Do you have any other comments to make in relation to this? (optional)

28
Responses

Latest Responses

"GRASAC neither agree nor disagree with this proposal. We...

"Should not allow precedent to make it permanent. "

"Given your own clear description of the activities in these ...

11. Existing condition

Condition 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.

Change / amendment

Remove – substantially addressed by condition 6 below.

Do you agree, or disagree, with the authority's proposal to change / amend condition 4 as stated?

**12. Do you have any other comments to make in relation to this? (optional)**

23
Responses

Latest Responses

"It is reasonable as the SEVs operating are temporary there..."

"Only if fully covered in cond 6 "

"There is plenty of custom - according to your earlier descri..."

13. Existing condition

Condition 6 - There shall not be displayed outside the premises, in the immediate vicinity, or elsewhere within the Town any advertisements that indicate or suggest that any form of Relevant Entertainment takes place on the premises.

Change / amendment

Add - "with the exception of any registered trademark, trading name or trading symbol that has been provided to the authority in connection with the most recent application for licence, its renewal or variation as the case may be."

The authority believes this provides a reasonable balance that will:

1. allow greater flexibility for operators (recognising SEVs are a legitimate part of the retail and leisure industries);
2. whilst ensuring public protection and safeguarding though restricting the "exempt" advertisement content; and
3. implementing a proposed process whereby the authority will scrutinise and approve "exempt" advertisement content.

Do you agree, or disagree, with the authority's proposal to change / amend condition 6 as stated?



14. Do you have any other comments to make in relation to this? (optional)

24
Responses

Latest Responses

"The explanatory note indicates that the authority will app...

"Unless the "exempt" approval explicitly state "no images, l...

"As before. I do not see that advertising is required at all."

15. Existing condition

Conditions 22 & 26 references to "state of undress"

Change / amendment

Replace "state of undress" with "display of nudity".

This is to provide clarity of definition.

Do you agree, or disagree, with the authority's proposal to change / amend conditions 22 & 26 as stated?



From other sources:

Agree: 1 Disagree: 2

16. Do you have any other comments to make in relation to this? (optional)

19
Responses

Latest Responses

"The authority needs to provide a more detailed explanatio..."

"Yes, it needs to be completely explicit what these business..."

17. Existing condition

Condition 24 - 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.

Change / amendment

Amend condition 24 to read:

An appropriate room, or rooms, shall be set aside to provide a changing and rest area for performers. As a minimum:

1. Access to such room(s), must be restricted to performers only and reasonable measures put in place to ensure security and exclusive use;
2. The location of such room(s), must be marked on the plan of the premises;
3. Such room(s) should provide separate and private sanitary facilities for performers. Where direct access to separate and private sanitary facilities for performers is not available or practical, other arrangements for separate and private sanitary facilities may be implemented subject to the approval of the authority;
4. Such room(s) must be fully accessible and unrestricted to performers during all times the premises is open and operating for Relevant Entertainment;
5. Such room(s) must be of decent standard, including, but not limited to, general condition and safety, occupiable space, seating provision, access to free drinking water or other non-alcoholic refreshments and sufficiently heated; and
6. Such room(s) should provide separate and private smoking facilities for performers. Where direct access to separate and private smoking facilities for performers is not available or practical, other arrangements for separate and private smoking facilities may be implemented subject to the approval of the authority.

Do you agree, or disagree, with the authority's proposal to change / amend condition 24 as stated?



From other sources:

Agree: 4 Disagree: 1



18. Do you have any other comments to make in relation to this? (optional)

17
Responses

Latest Responses

" We agree with the proposed amendment to Standard Co...

"Re point 3 - separate and private sanitary facilities for per...

19. **Existing condition**

Condition 25 - Any bodily contact between entertainers or performers or any movement that indicates sexual activity or simulated sex between entertainers or performers is strictly forbidden.

Change / amendment

Partly amend to remove "Any bodily contact between entertainers or performers or" **but retain** "Any movement that indicates sexual activity or simulated sex between entertainers or performers is strictly forbidden."

This is to address a technical breach where accidental bodily contact between entertainers or performer could occur.

Do you agree, or disagree, with the authority's proposal to change / amend condition 25 as stated?



From other sources:

Agree: 0 Disagree: 5

20. Do you have any other comments to make in relation to this? (optional)

20
Responses

Latest Responses

"Further detail needs to be provided regarding the rational ...

"A breach is a breach. Accidental breaking of any law is no...

"Accidental contact should be noted and logged. Otherwise...

21. Existing condition

Condition 35 - 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.

Change / amendment

Replace "Police Crime Reduction Officer" with "Gloucestershire Constabulary".

Do you agree, or disagree, with the authority's proposal to change / amend condition 35 as stated?



From other sources:

Agree: 4 Disagree: 1

22. Do you have any other comments to make in relation to this? (optional)

10
Responses

Latest Responses

"We assume that this amendment has been made for clarit..."

23. Do you agree, or disagree, with the authority's proposal to adopt an "Acquired Rights" Policy?

From other sources:

Agree: 0 Disagree: 5

24. Do you have any other comments to make in relation to this? (optional)

22
Responses

Latest Responses

"We are concerned that the proposed adoption of an Acqui...

"To shut down regular democratic oversight and complaint...

"As you rightly say - this would create a presumption in FA...

25. Do you agree, or disagree, with the authority's proposal to amend the policy requirements for plans to accompany applications?



From other sources:
Agree: 5 Disagree: 0

26. Do you have any other comments to make in relation to this? (optional)

9
Responses

Latest Responses

"We agree with the proposed amendments in respect of th...

27. Do you agree, or disagree, with the authority's proposal to implement a "Designated Person in Charge" requirement?



From other sources:
Agree: 5 Disagree: 0

28. Do you have any other comments to make in relation to this? (optional)

10
Responses

Latest Responses

"We feel that the requirement of a designated person in ch...

29. Do you agree, or disagree, with the authority's proposal to supplement its licensing policy with additional guidance on discretionary grounds (a) and (b)?



From other sources:
Agree: 3 Disagree: 1

30. Do you have any other comments to make in relation to this? (optional)

9
Responses

Latest Responses
"We welcome the clarification that the inclusion of the add...

31. Do you have any comments on the Equality Impact Assessment accompanying the draft policy? If so, please provide your comments below. (optional)

15
Responses

Latest Responses
"Could the authority confirm that the Safe and Equal Bristo...
"The implication that a nil SEV limit would cause more pro...

