

REGULATORY COMMITTEE

Minutes of the meeting held on Monday 14 October 2013, at the Town Hall, Royal Leamington Spa at 10.00am.

PRESENT: Councillor Illingworth (Chairman); Councillors Cross, Mrs Gallagher, Gill, Mrs Goode, Mrs Higgins, MacKay, Pratt, Weed and Wreford-Bush.

Apologies for absence were received from Councillor Shilton.

31. **SUBSTITUTES**

Councillor Cross substituted for Councillor Shilton.

32. **DECLARATIONS OF INTEREST**

Minute Number 34 – Renewal of a Sex Establishment Licence for Shades Gentleman’s Club, 6a High Street, Royal Leamington Spa

Councillor Mrs Gallagher declared an interest because one of the objectors had contacted her following the previous hearing to question the way she had voted.

Councillor Gill declared an interest because he was an ex member of the hockey club and also the premises was in his Ward.

Councillor Mrs Goode declared an interest because she had received an email that requested she vote in favour of the renewal.

Councillor Mrs Higgins declared an interest because she was in regular contact with one of the objectors on other business.

Councillor Pratt declared an interest because he was a member of the Leamington Society. He also stated that he had an open mind in respect of the matter under consideration.

Councillor Wreford-Bush declared an interest because he had received an email that requested he vote a particular way.

The Chairman advised that all Committee members had received an email requesting they vote in a particular way.

33. **MINUTES**

The minutes of the meeting held on 15 July and 12 August 2013 were taken as read and signed by the Chairman as a correct record.

34. **RENEWAL OF A SEX ESTABLISHMENT LICENCE FOR SHADES GENTLEMAN'S CLUB, 6A HIGH STREET, ROYAL LEAMINGTON SPA**

The Committee considered a report from Community Protection following receipt of an application for the renewal of a Sex Establishment Licence under the Local Government (Miscellaneous Provisions) Act 1982.

The Chairman introduced himself, the Council's Legal Advisor, Mr Evans, Council officers and invited the Committee to follow suit. He then confirmed that those present were comfortable with the published running order for the meeting but informed the meeting that he would be making some changes to the order of the speakers.

Present were the applicants, Mr and Mrs Ransford and their legal representative, Mr Besant as well as a several members of the public who had registered to speak and address the Committee.

The Chairman gave details of a visit to the area surrounding the Club conducted earlier that morning and confirmed Councillors Gill, Illingworth, Weed and Wreford-Bush had all attended. Councillors Mrs Gallagher, Mrs Higgins, MacKay and Pratt had all visited the area independently, and Councillors Cross and Mrs Goode confirmed that they were familiar with the area.

The Licensing Services Officer, Jayne Bailey, outlined the report which sought renewal of the SEV Licence for Shades Gentleman's Club. The hours applied for were:

23:00 to 03:00 – Tuesday to Thursday
23:00 to 04:00 – Friday and Saturday
Sunday and Monday no hours requested.

The Licensing Services Officer advised that paragraph 3.10 in the report had been deleted because 3.8 had been amended; premises licence conditions had been removed because the application was purely for a Sexual Entertainment Licence. She highlighted an error in the Council's SEV Policy in relation to appeals (point 9.7), but item 3.22 in the report was correct. An addendum to the report had also been circulated that referred to preliminary matters that the Committee needed to decide immediately before proceeding with the hearing.

Shades Snooker Club Ltd currently operated under the premises licence issued under the Licensing Act 2003 which allowed the following opening hours:

10:00 to 01:30 - Sunday
10:00 to 03:30 – Monday to Thursday
10:00 to 06:30 – Friday and Saturday.

Shades Snooker Club Limited had previously applied for a Sexual Entertainment Venue (SEV) Licence in November 2010. This application was refused at a meeting of the Council's Regulatory Committee on 14 June 2011. An application was also received from Mrs Ransford for a SEV Licence for Shades Gentleman's Club in December 2011. This too was refused at a meeting of the Council's Regulatory Committee on 15 March

2011. A further application was received on 22 June 2012, which was granted on 13 August 2012.

The Licensing Services Officer outlined the appendices in the report as:

- Appendix 1 – the renewal application from Shades Snooker Club; Limited for a SEV Licence for Shades Gentleman’s Club;
- Appendix 2 – the current SEV Licence;
- Appendix 3 – confirmation that there was no objection to the application from Warwickshire Police;
- Appendix 4 – one positive representation;
- Appendix 5 – 316 representations against the current application, three of which had been accepted a day late, four were unsigned and one contained a name and address which was illegible. Approximately 30 of the representations received stated that they were businesses;
- Appendix 6 – objections received the week following the end date for representations, which was 5 September. The Committee could use their discretion whether or not to accept these objections;
- Appendix 7 – a template of a letter sent to people who had made representation, inviting them to the meeting;
- Appendix 8 – a map of the area; and
- Appendix 9 – a copy of the Council’s policy on SEV premises.

The Licensing Services Officer then referred to the addendum which contained:

- Part 1 - three late objections received on 6 September and accepted by the Licensing Officer shown in appendix 5 of the report;
- Part 2 – 11 late objections received after 6 September shown in appendix 6 of the report;
- Part 3 – three objections returned stating they were not aware of Shades and one email inferring they were not aware of Shades;
- Part 4 – three hearing invitation letters returned by Royal Mail;
- Part 5 – an objector’s statement (original objection shown in appendix 5 of the report); and
- an addition to Part 2 of the addendum circulated as an extra sheet.

The Council’s Legal Advisor provided guidance to the Committee on the preliminary matters for consideration contained within the addendum. He explained that a deadline of 5 September had been set for receipt of any representations. In respect of late submissions, Members had the discretion to accept or reject these because they had gone over the time limit set. If Members were minded to accept them, then they had to take into consideration if this would cause prejudice to other parties. Following advice, it was

RESOLVED that:

- (1) part 1 of the addendum be accepted;
- (2) part 2 of the addendum be accepted;
- (3) part 3 of the addendum be accepted;

- (4) there was no evidence that anything irregular had occurred with correspondence return undelivered; and
- (5) the statement in part 5 would be read out later.

The Chairman confirmed with the applicant that he was agreeable to the statement in part 5 of the addendum being read out and with all parts of the addendum being included. The applicant confirmed that the decision was acceptable.

The applicants' representative, Mr Besant, presented the application and stated that the hours required on the renewal were the same as the existing licence.

He gave a brief summation of the history and said that in 2008 the Club had introduced Pole Dancing and there had been no problems. Then the law changed and whilst the Club did not have an SEV Licence, it was allowed to hold Pole Dancing 11 times a year without a licence, and could stay open until 06:00 hours. He pointed out that no one from Warwickshire Police, Environmental Health or Social Services had objected to the licence being renewed.

Mr Besant outlined the club's customer profile, which were mature business people and couples. 15% of the clientele were female. The dancers had day jobs from a variety of industries and professions. Nudity was not allowed in the Club and a private dance would last about three minutes and would cost £20, of which the dancer would receive £15.50. Customers were not allowed to touch the dancers and the private dances were conducted in booths. The Club was well run as indicated by the lack of an objection from the Police.

Mr Besant advised that when the dancers mingled with customers, they wore bikinis or dresses. He did not know the identity of the objectors and had never received any information that a person had been harassed when customers left the Club.

Mr Besant then answered questions from Councillors. He informed Councillor Mrs Goode that he was aware that Wise Street was a cul-de-sac but that customers who wanted to smoke stood outside the front of the Club where two SIA registered doormen monitored behaviour. The dancing started at 11.00 pm when most people nearby should have gone to bed. This was questioned by Councillor Mrs Goode because students lived nearby. Mr Besant said it would help if he knew if the local objectors were from Wise Street or Wise Terrace and how they had objected.

Councillor Mrs Goode referred to the map on page 669 of the report and said that people would be smoking in Wise Street which was narrow and so they would spill into the road. Mr Besant replied that he could not comment on where people stood but only a small number of people stood outside. He also pointed out that if the concern was people drinking outside, then this would apply to any club. Mr Besant then asked the Committee if there were any objections from people from Wise Terrace and said that if this was the case, then people could be prevented from standing there. Mr Besant then reiterated that two SIA registered doormen monitored clientele outside the premises and that these

doormen had reported incidents at other premises. In addition, the Club provided CCTV coverage. He pointed out that members of the public passing the Club had a lot of protection. The Chairman confirmed that it could not be confirmed whether the objections had come from Wise Street or Wise Terrace. The Licensing Officer confirmed this to be the case at the hearing, but it was possible to find out.

Councillor Gill then asked Mr Besant if he accepted that both Wise Street and Wise Terrace were mainly residential, but he did not. Mr Besant pointed out that there was the Club, a garage, a stone mason and what had been the Crown Hotel (now in disrepair) at number 19. In Wise Street, there was another club. There were flats at numbers 1 - 9 Wise Street. There was also a scrap metal business. In Wise Terrace there was an application for a business and also the hockey club. Mr Besant felt that the area was mixed use and he repeated this when pressed further by Councillor Gill.

Mr Besant confirmed that the Club had operated as an SEV since 2008, except for one year when it could not operate as such because it did not have a licence, but then it had operated 11 times a year. When asked, he replied that business had slightly declined due to the recent road works.

Mr Besant said that the Club had received two or three checks from Licensing officials and other checks to ensure the CCTV was in operation or visits from Police if the Club had reported incidents at other licensed premises.

The Chairman advised that he was changing the running order in which people would give their representations.

Councillor Chilvers, a County Council Ward Councillor for the area, addressed Members and confirmed that his written representation was in the report on page 278. Councillor Chilvers spoke in objection to the application. He lived within half a mile of the Club. He felt that the area was vibrant and safe and "on the up" and objected because it was contrary to the image that everyone wanted to project for the area which was a vibrant, healthy and inclusive community. 30 businesses had objected so Councillor Chilvers contended that local businesses must perceive that an SEV club was contrary to the character of the area irrespective of the fact that there had been no incidents.

In response to a question from Councillor Mrs Higgins, Councillor Chilvers confirmed that the area had been awarded money from the Mary Portas grant for regeneration and improvements to the area. He confirmed to Councillor Gill that members of the public had approached him, although not everyone had agreed with his opinion. However, most felt that an SEV premises would be negative and they did not want to live near such an establishment. Councillor Mrs Gallagher pointed out that when she had been approached by members of the public, they did not know where the Club was situated, to which Councillor Chilvers responded that this might be the case but people he had spoken to did not want to live near such a Club and wanted to be proud of where they lived. The Chairman then asked if the Club had been mentioned or involved when applying for the Mary Portas grant, but Councillor Chilvers did not know.

Mr Humphreys, Counsel for the Hindu Religious Association addressed the Committee in objection to the application. He informed the Committee that in particular he was representing Mr Vik Tara. Mr Tara's objection could be found on pages 521 to 524 of the report. More broadly, he was representing the Hindu Religious Association, of which Mr Tara was a director. Its objection could be found on page 352 of the report and there were several similar objections.

He referred the Committee to its Policy on pages 673 and 674 of the report and highlighted the parts of this where refusal could be justified:

- the proximity of residential premises; including any sheltered housing and accommodation of vulnerable people;
- the proximity of educational establishments;
- the proximity of places of worship;
- access routes to and from schools, play areas, children's nurseries, children's centres or similar premises in proximity to the premises;
- the proximity of community facilities/halls and public buildings such as swimming pools, leisure centres, public parks, youth centres/clubs (this list is not exhaustive);
- whether there is planned regeneration of the area; and
- the nature and concerns of any representations received from residents and/or establishments objecting to the licence application.

Mr Humphreys pointed out that the licence had been refused twice previously because it was felt to be inappropriate in the location. He read the reasons for refusal from the first and second decisions. He pointed out that the Committee was not bound by these decisions but it should have particular regard to them.

He then referred to the map and chart in the report which showed commercial versus residential use of the area. Wise Street was a cul-de-sac and there was significant housing along this street. Since the two refusals, planning permission had been granted for 20 residential houses. He contended this did not make it mixed use because in any residential area there would be businesses. He felt that an SEV Club was inappropriate in a mostly residential area. He pointed out that Crown Terrace provided sheltered housing for people with mental health issues and the Hindu Temple was located close to Shades. He pointed out that this place of worship was clearly special to its worshippers as demonstrated by the number of objections received. Next to the Temple was a community centre used by young people, which meant that young people were being exposed to an SEV Club. The Club was visible from the premises occupied by the Martial Arts Centre, again used by young people. People would have to pass Shades to get to the martial arts centre. Given it was a regeneration area, an SEV club did not fit in with the ambience and what it was intended to create. Mr Humphreys agreed with an earlier comment made by the Chairman that there were several similar objections made by worshippers at the Temple and he would confirm the number later.

Councillor Mrs Goode asked Mr Humphreys if he felt the reasons for the previous refusals had been robust, to which he replied that they had. It was a residential area and other premises were located in the area that were incompatible with an SEV Club like the Temple. In response to a

query about two more churches in the area, Mr Humphreys stated that his remit was to represent the Temple.

Mrs Winter read out a statement on behalf of Dr Hero in objection to the application, whose statement could be found on page 32 of the addendum. Dr Hero had registered to speak but had been unable to attend. In response to a question from Councillor Mrs Higgins, Mrs Winter confirmed that Dr Hero was a medical doctor but she did not know where she worked.

Mrs Winter then addressed the Committee with her own objections to the application after confirming that her written objection was on page 633 of the report. Mrs Winter informed the Committee that she had recently moved to the District but she did not live in either Wise Street or Wise Terrace and would not want to with an SEV Club in the area. However, she had to walk past the Club to get to the train station. She felt that there was a negative perception of the area walking past the Club and she would feel unsafe if she had to walk past at night. She asked Councillors how people could avoid walking past the Club if they had to catch the bus or go to the train station. She felt that it would not encourage people to stay long-term in the area and, therefore, there would be a transient population. She felt that there would be unacceptable noise in the area from the Club and people would urinate in the streets which she believed would not get reported to the Police. Mrs Winter questioned the Committee as to why such a large number of objections could be viewed as understandable. She felt that reputable businesses would not come to the area with an SEV Club nearby.

In response to a question from Councillor Mrs Gallagher, Mrs Winter advised the Committee of the street in which she lived having first checked that she was required to answer the question.

Mr Renshaw addressed the Committee in objection to the application on behalf of himself and the Friends of Leamington Station. He intended to speak on both objections together rather than separately. His written objection could be found on page 563 of the report. He felt that people arriving at the station were met with a dismal scene. The student accommodation had improved things but the rest of the area was seedy in his opinion. He had spoken to visitors who had told him that they were disappointed by the scene. He felt that the presence of an SEV Club was damaging regeneration of the area with its image of sleet and it would damage the economy for local businesses. He felt that renewing the licence was in conflict with the Council's economic and social development policy.

Mr Renshaw then went on to assert that women might fear being sexually accosted by men already aroused and under the influence of alcohol. A large number of women would be affected given the proximity of the train station and the bus stop and the number of female students who lived in the area for eight months of the year. His wife and daughter were nervous of walking in the area, which meant that he had to meet them. Whilst he accepted that his wife and daughter could use a taxi, he contended that it was a fundamental right to walk the streets without fear. He also felt that parents would be faced with awkward questions from their children about Shades. He pointed out that the Council could refuse

or grant the licence with regard to the character of the area and the proximity of other premises. The Committee must persuade itself the SEV Club was not contrary to being near any of these places to grant.

Councillor Pratt then asked Mr Renshaw how he distinguished between Shades and any other club or pub in Leamington Spa late at night and Mr Renshaw replied that other establishments did contribute to the anxiety of women and questioned if councillors wished to add to this. The Chairman then asked Mr Renshaw to explain what it was about Shades that made it apparent what was happening inside the Club and how this caused concern, to which Mr Renshaw responded that this was "misplaced liberalism". The Chairman pointed out that there was nothing on the building that drew attention to what it was because the issue concerning the signage had been rectified. Mr Renshaw replied that there was something distinctive on the outside of the building that informed people it was not a shop.

Councillor Gill then asked Mr Renshaw about the other venues he had mentioned that caused anxiety and Mr Renshaw replied that there were other clubs that caused anxiety, but he was unaware of any other SEVs.

Mr Ashworth, representing the Leamington Society as its Chairman, addressed the Committee in objection to the application. He confirmed that his written objection was on page 230 of the report. He informed the Committee that his letter gave the grounds for his objections and that applications for SEVs had been discussed by the Leamington Society. He referred to Mr Humphreys previous comments about the character of the locality. He stated that the absence of disorder was not a reason for saying the application was appropriate for the area. He then went onto define the word "vicinity" which he had checked in a dictionary and found definitions of "surrounding district" and "nearness in place". He was worried that concerns could be ignored if there were no reported incidents.

Mr Ashworth asked Councillors to consider a simple test of how anyone would feel if the relevant locality was in their own street. For the Leamington Society, the fact that the locality was an area for regeneration was a primary concern because of the problem of image. He then cited a newspaper article which had given the names of businesses that would like to come to the area. In his opinion, SEVs did not attract local clientele and referred to a previous petition signed by supporters of the Club which revealed that they lived miles away. He asked Councillors if it was reasonable to ignore the range of businesses and premises in the area such as shops and the Temple and asked for respect for the community. None of the Committee had any questions for Mr Ashworth.

Mrs Willington addressed the Committee in objection to the application after confirming that her written objection was on page 632 of the report. She informed Councillors that she now lived in Radford Semele but had previously lived in the Old Town area of Leamington Spa. She felt that the area had the opportunity to flourish which should not be jeopardised. An SEV reinforced the image of a shady area and questioned that if it was acceptable to have a SEV in old town, Leamington Spa, then would it be acceptable in other areas. She was concerned that the first impression for people arriving by train in Leamington Spa was of a Gentleman's Club and

she was concerned that students living in the area would work at the club. None of the Committee had any questions for Mrs Willington.

The Council's Legal Advisor circulated his written outline of legal advice he later intended to give to the Committee to the interested parties "Shades Application for SEL – Preliminary Legal Guidance". At 12.05 pm the Chairman announced a comfort break and the meeting re-commenced at 12.15 pm.

The Chairman invited Mr Besant to give a short closing summation. Mr Besant referred to some of the advice in the Council's Legal Advisor's written guidance which explained the statutory grounds for grant or renewal or refusal. He also referred to the case stated in the "Renewals" section, "R versus Birmingham City Council ex parte Sheptonhurst Limited" which considered whether or not there was a difference between the way in which a decision maker should approach an application for a renewal as opposed to an original grant of a licence. Mr Besant said this should give weight to the fact that the application was a renewal. The grounds for unsuitability had been set out and the Policy set out what the Committee had to take into account.

Mr Besant said that he had counted 316 written objections, but amongst these, he could not distinguish which were from the 30 businesses that had objected. He cited the reasons he had understood from the objections but noted that 52 of the written objections were the same and another 44 objections had similar handwriting. He objected to the term used in many objections of "sex club" because Shades was not a sex club. He argued that 243 of the objections had arisen purely by people actively getting people to sign a letter. He asked the Committee to give appropriate weight to this and also to note that several people had not signed their objection. He had also heard that pressure had been applied to some people who refused to sign an objection and gave the martial arts club and the boxing club as examples of where this had happened.

He reminded the Committee that the objections made purely on grounds of morals should not be taken into account. Mr Besant then went through various of the reasons for objection. He did not agree that the area was residential; in his opinion it was a mixed zone. He referred to the plan on page 524 of the report which had formed part of Mr Tara's objection. He informed the committee that the planning application for 20 dwellings was on the back burner and now there was an application for a valeting service. Shades had been in operation since 2008 and a number of developments had been opened since then with no difficulty. He remarked that none of the speakers had said they lived in Wise Street or Wise Terrace. Some people had referred to the two previous refusals but the Policy had changed since then. When the licence was granted, followed by a legal challenge, that legal challenge was only allowed to proceed on one count and the three other reasons were borderline. The judicial review did not proceed so there had never been a full hearing which meant the judicial review should not be taken into account.

In respect of the vulnerable people living in the area, when Mr Besant had walked past the building, it was boarded up and he felt that Social Services would have attended the hearing had it been an issue. There

was no evidence that vulnerable people had been harassed. Since the application there had been no new premises.

Mr Besant advised that when people walked past the Club, there was nothing to indicate what it was, except on the awning where the lettering was only three inches high and there had been no evidence that anyone had been harassed walking to or from the train station or the bus stop. Mr Besant informed the Committee that the Hindu Temple closed at 5.20 pm giving a gap of three hours between its closure and the opening of the Club. Additionally, the Temple provided its own parking arrangements. Mr Besant informed the Committee that the applicants had sought to reach a compromise with the Temple by sending a letter by registered post, which was returned. Consequently the applicants hand-delivered the letter but had not received a reply. He questioned how many people visited the Temple past 11.00 pm.

In respect of children asking awkward questions, he questioned how the name "Shades" suggested an SEV. The owner of the martial art centre had not objected and there was nothing to suggest the two local children's nurseries had objected but in any case, they would not be open at 11.00 pm. The community centre was closed when Shades was open. Mr Renshaw had been unable to say how the Club stood out. The objections concerning parking were not relevant because this was not part of the policy, but even if the application was refused, it could still operate without a licence 11 times a year. The two objections from the hockey club had been submitted past the deadline and were identical to previous objections on previous applications. It was unclear if the letters had been signed. There was a good relationship between the hockey club and Shades.

Some people had said the area by the bridge was a 'red light district', but if this were the case, the Police would have acted. In respect of regeneration, there was no evidence that any business had refused to come to the area and an article in "The Courier" the previous Friday had stated that Leamington Spa was beating the national average.

In respect of the objection from the doctor on page 268 of the report saying the Club was affecting patients, Mr Besant pointed out that the nearest surgery was next to "Amara" which was an SEV and Shades would not be open when the surgery was open.

Mr Besant questioned the emphasis placed on the two visitors from Ireland mentioned in the letter on page 468 of the report. There was no guest house in proximity and Ireland also had SEVs. He inferred that two visitors was hardly of note. There was no evidence that Shades had affected either regeneration or the Mary Portas grant. He pointed out the contradiction in Mr Chilver's statement who had said that the Club had affected business but conversely had said the area "was on the up". He felt it was a problem of perception.

Mr Besant said that it was better to have control through a licence than refuse the application when 11 events could still be held each year and remain open until 6.30 am. He asked the Committee to grant the application.

The Chairman confirmed with Mr Humphreys that just over 100 of the objectors had been from the Temple and it was confirmed that the planning application for 20 residential properties was no longer taking place. Mr Humphreys then went on to say that the Temple was open 24 hours and events took place in the evenings to which Mr Besant replied that there was a sign on the Temple which stated it closed at 7.30 pm and when he had been in the area at night, he had not seen the Temple open.

The Chairman adjourned the meeting at 12.50 pm and explained that this would give people the opportunity to have lunch and for the Committee to deliberate and take its decision in private. No officers other than the Council's Legal Advisor and the Committee Services officer would be allowed in the room with the Committee during this process. The meeting would not reconvene before 2.00pm and if more time was required, the interested parties would be kept informed.

The meeting reconvened at 2.30 pm and the Chairman asked the Legal Advisor to the Council to read out the decision as follows:

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1. The Committee considered and read the report, application, all of the valid written objections, and a representation in support of the application before the hearing began.
2. On the morning of the hearing a number of members of the committee went to the area in which the applicant premises is situated in order to gain further information as to its locality. Other members felt that they were already sufficiently familiar with the area and it was clarified at the start of the hearing by a show of hands that every member of the committee had personal knowledge of the area in question.
3. At the hearing the Committee listened carefully to the oral representations made for and against the application.
4. The Committee considered the statutory framework for the decision it was required to reach and the Council's local policy on Sex Establishment Licensing.
5. The Committee also took into account that this was a renewal application for a licence that was already being used, albeit subject to a requirement that its continuation be properly reconsidered a year after it was granted.

Objections

6. At the beginning of the hearing the Committee was asked to determine whether objections that fell into defined categories should be admitted or rejected. The Committee exercised its discretion to admit those objections with the exception of those where when the letters of invitation to this hearing were sent out, the people who were said to have been the authors of those letters stated that they had no knowledge of the applicant premises.

7. The Committee was bound to ignore objections which were made only on moral or religious grounds in accordance with the law and determined that some but not a great number fell into that category.

Discretionary Grounds

8. The Committee determined that objections it considered to be valid engaged consideration of the discretionary grounds of refusal set out in Sch 12(3)(d)(i) and (ii). Committee asked itself whether in light all read and heard the renewal would be inappropriate having regard to the character of the locality or the use to which any premises in the vicinity are put.
9. The Committee received legal advice, which it accepted, that there was no significant conceptual distinction between these two grounds because consideration of the character of the locality necessarily required consideration of the use to which premises in that locality was put. The two grounds were therefore considered separately and then together before a decision was reached.

The Locality

10. The Committee came to the conclusion that the locality of the premises could not be precisely defined by reference to precise geographic points but that it was sufficient to define it as the area near to the premises, something which was well understood by the committee members in light of their own personal knowledge, the visit to the area this morning and all that they had heard about premises in respect of this application.

Conclusion

11. Having considered all relevant matters the Committee decided by a split decision, determined by the Chairman's casting vote, that this application should be acceded to and the renewal granted.
12. Full reasons for the decision will be published within 5 days on the council's website."

The Committee therefore,

RESOLVED that the Sex Establishment Licence to Shades Snooker Club limited be renewed with no changes to conditions.

(Although not announced at the meeting when the public were present, Councillor Mrs Goode with the support of Councillors Gill, MacKay, Weed and Wreford-Bush required the vote to be recorded. The voting was as follows:

Votes for renewal of licence:

Councillors Cross, Mrs Gallagher, Mrs Higgins, Illingworth, and Pratt

Votes against renewal of licence:

Councillors Gill, Mrs Goode, MacKay, Weed and Wreford-Bush

Therefore the vote was tied at five all and the Chairman used his casting vote in favour of renewal.)

35. **Public and Press**

RESOLVED that under Section 100A of the Local Government Act 1972 that the public and press be excluded from the meeting for the following items by reason of the likely disclosure of exempt information within the paragraphs of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006, as set out below.

Minute No.	Para Nos.	Reason
36	1	Information relating to an individual.
36	2	Information which is likely to reveal the identity of an individual.

36. **Minutes**

The confidential minutes of the meeting held on 12 August 2013 were taken as read and signed by the Chairman as a correct record.

(The meeting finished at 2.35 pm)