

**REPORT OF DIRECTOR OF DEVELOPMENT & ENVIRONMENTAL SERVICES
APPLICATION TO VARY AN ENTERTAINMENT LICENCE**

Isis, Redfield Way, Lenton, Nottingham

Crocodile Club, 1st Floor, Isis, Redfield Way, Lenton, Nottingham

1.0 SUMMARY

1.1 This is an application to vary an existing Entertainment Licence by way of the provision of a licensed activity comprising nudity. The activity is to be held in an area on the first floor to be known as Crocodile Club.

2.0 RECOMMENDATIONS

2.1 IT IS RECOMMENDED THAT the Committee determine the application having regard to:

2.2 The proposals contained in the application submitted by way of standards of management for the entertainment;

2.3 The request to vary Standard Condition 24;

2.4 The request to remove Standard Condition 25;

2.5 The proposed alterations to the interior of the premises to accommodate the proposed activity;

2.6 The comments of relevant parties consulted on the application; and

2.7 The change in the capacity of the premises for the purpose of the licensed activity.

3.0 BACKGROUND

3.1 The premises currently operate as a night club comprising the first and second floors. The premises have had the benefit of a Public Entertainment Licence for some years. Existing Special Conditions attached to the licence over and above the Standard Conditions are shown on the existing licence at appendix 1.

4.0 PROPOSALS

4.1 It is proposed that part of the first floor (to be known as Crocodile Club) would be used for table dancing provided to the public upon payment of a fee to the dancers. Dancing would only be provided to a seated audience.

4.2 The first floor would have limited access from the ground floor. The access would be to public toilets at first floor level and to a new bar. There would be no access from the new bar to the Crocodile Club. A void is proposed to be formed in the ceiling of the ground floor allowing viewing of the ground floor by patrons in the new first floor bar. However solid walls will separate the Crocodile Club such that the Club would operate separately to the ground floor and new bar, and no one would be able to see into the club area from either ground or first floor level. Entry to the Club would be by controlled access via a reception and cloakroom facility.

The activity is to be controlled by a set of management standards including a code of conduct offered for consideration by the applicant.

4.3 The capacity for the premises is proposed to be varied as follows:
Existing 1900
Proposed 1200 on the ground floor and 400 in the Crocodile Club.

4.4 There is no request to vary the operating hours which are:
Monday – Wednesday (inclusive) 12 noon – 2am
Thursday – Saturday (inclusive) 12 noon – 3am
Sunday 12 noon – 2am

5.0 REPRESENTATIONS

5.1 The following bodies have been consulted on the application:

Planning applications and advice
Building Control
Ward Councillors
Pollution Control
Food Safety Enforcement
Fire Officer
The Police

5.2 The following representations have been received:

Planning applications and advice have indicated that the premises has D2 use class and the proposed variation is not contrary to the classification. As at 15 January 2003 there were no planned or current enforcement issues relating to the premises.

Building Control require an application for consent to the works but as at 23 January 2003 none had been received.

Pollution Control has no comment to make on the application.

Food Safety Enforcement Service has considered the proposed method of operation. The final response made by the applicant to the issues raised are attached as appendix 2. The service advises that they consider the ground floor suitable for music and dancing as provided at present. The first floor as suitable for music and dancing by performers only but not for public dancing. The service notes that the reference to the prohibition of 'lewd and lascivious behaviour' as mentioned in the Standard Conditions has been removed from the proposed management standards.

The Fire Officer recommends the following occupancy levels:

Ground floor	1000 persons
First floor new bar	200 persons
First floor – new club	400 persons
Total	1600 persons excluding staff

In addition he requests that any permission granted should include the requirements set out in his fax to the Licensing Service of 4th February 2003 attached as appendix 3.

The Police have commented that the current CCTV system is considered inadequate for the proposed variation. That the proposed management standards are insufficient in respect of addressing drug related matters. Details of the Police comments are attached as appendix 4.

5.0 LEGAL IMPLICATIONS

5.1 The legal implications will be reported at the meeting.

6.0 EQUAL OPPORTUNITIES IMPLICATIONS

6.1 None.

7.0 CRIME & DISORDER IMPLICATIONS

7.1 Licensing for public entertainment is an opportunity for the City Council to work in partnership with the Police to reduce the risk of crime and disorder occurring both within and immediately outside licensed premises, having regard to the effect of the proposals on both customers and residents.

8.0 Published documents referred to in compiling this report

- ◆ Application received 10 January 2003
- ◆ Fax from the Chief Fire Officer dated 4 February 2003
- ◆ Letter from Nottinghamshire Police dated 17 February 2003
- ◆ Memo from Planning Officer
- ◆ Email from Building Control Officer
- ◆ Comments from Environmental Health Officer (Food Safety Enforcement)

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BARRY HORNE, DIRECTOR OF DEVELOPMENT & ENVIRONMENTAL SERVICES

Lawrence House, Talbot Street, Nottingham NG1 5NT
Contact Officer: Janet Swain, Team Leader – Food & Licensing
Telephone Number: 0115 9156776
E-mail: general.licensing@nottinghamcity.gov.uk

3 March 2003

By virtue of the powers conferred in it by the Local Government (Miscellaneous Provisions) Act 1982 and the Sunday Entertainments Act 1932 (the Acts), NOTTINGHAM CITY COUNCIL hereby grant to **Debra Mullen, David Keetley & Sian Newall**

C/o Isis, Redfield Way, Nottingham

this licence to keep or use the premises known as **Isis (Ground & First Floor), Redfield Way, Lenton, Nottingham NG7 2UW**

for the purpose of **Music and Dancing**

This licence shall continue in force from **15 January 2003** until **5 April 2003**

or until sooner revoked, and is granted subject to the provisions of the Acts, and any special conditions set out below and to the standard conditions imposed by the City Council, a copy of which is attached to this licence.

The premises shall not be used for the above purposes except between the hours of

Mondays to Wednesdays	-	noon to 2 am
Thursdays to Saturdays	-	noon to 3 am
Sundays	-	noon to 2 am

Signed

Dated 15 January 2003

Licensing Officer

SPECIAL CONDITIONS:

1. **MAXIMUM OCCUPANCY:- 1900 persons excluding staff**
2. This licence on Sundays will not be utilised beyond the permitted hours for the sale of alcohol.
3. (a) **The Instructions and guidance contained in the operating manual provided for use with the gas extraction system installed in the building shall always be complied with. No amendments shall be made to the contents of the manual without the written consent of the City Council.**

Continued.....

- (b) **A copy of the operating manual shall be kept on the premises at all times and shall be readily available for reference by staff.**
- (c) **A log book shall be provided and maintained on the premises and the following information recorded:-**
 - (i) **Details of the daily and weekly checks and checks following the closure of the premises for 48 hours or more, including details of the results of the checks and any renewal action taken.**
 - (ii) **Details of the 3 monthly and six monthly checks maintenance and servicing checks required to be carried out by a specialist contractor, indicating faults found and remedial action taken. Alternatively the contractor may provide service sheets which shall include the above information and these service sheets shall be kept with the log book.**
- (d) **The log book and any service sheets referred to above shall be kept on the premises at all times and shall be available for inspection by an authorised officer of the City Council.**

APPENDIX 2

SM-

-
Stewart Marsh-
0115 9156779
30 January 2003

David Keetley
Proprietor
Isis
Redfield Road
Lenton
Nottingham
NG7 2UJ

Dear Mr Keetley,

Re: APPLICATION FOR VARIATION OF ENTERTAINMENTS LICENCE
ISIS, REDFIELD ROAD, NOTTINGHAM
PROPOSED GENTLEMEN'S TABLE-SIDE DANCING CLUB

I write to confirm our meeting at the above premises, on Thursday 30 January 2003, in connection with your application to vary the Entertainments Licence for the club.

The nature of the variation is to enable part of the first floor of the premises to operate as a table-side dancing venue.

As a consequence of our meeting, I would request your written comments concerning the following points, in order to further the application:-

1. Would you please define the activities involved in table-side dancing. Please state whether the dancers are to be full-time or part-time employees of the club or agency dancers or self-employed persons.
2. Please confirm the maximum number of dancers to be performing at any one time, in relation to the number of tables available; the exact location for each available table to be confirmed on an amended plan also showing the final seating arrangement.
3. You will need to confirm the construction details for the booth areas to be used for dancing, so that the design does not affect the visibility/security monitoring for the dancers whilst they are performing. Once these details are confirmed we can re-assess the suitability of these booths.
4. How will you determine the adequacy of the numbers of security personnel for the number of dancers etc?
5. Please demonstrate that the lighting levels for the dance areas do not inhibit the visibility for security staff.
6. The dancers are to be provided with changing facilities. Please confirm that the accommodation for their personal clothing will be adequate and secure.
7. Will any other type of entertainment take place at the same time as the table-side dancing?

8. Would you please explain the arrangements for ensuring that there will be no access for members of the public, from the new bar area into the Crocodile Club, via the proposed twin lobby areas.
9. Similarly, how will food be served to customers from the kitchen, through the adjacent lobby, without compromising the security arrangements to the lobby?
10. I require a layout plan of the new kitchen, along with a proposed menu, in order that I can assess the suitability of the kitchen facilities.
11. Please confirm that the club bar will be as existing, with current hand and equipment washing facilities.
12. Also confirm that the steps to all raised areas to the first floor will be provided with highlighted nosings.
13. I also require details of the ventilation levels to be provided to all public and work areas to the first floor. This information to state air changes per hour to the toilets, kitchen and staff changing areas etc.
14. Please state the source of music to be provided to the club. Will a disc jockey be employed, and if so, where will the D.J. console be situated?
15. With regard to the proposed occupancy for the club, Poppleston Allen solicitors state that a figure of 400 persons is being applied for. Since there are only approximately 180 covers shown on the proposed plan it does not appear reasonable that upwards of 220 additional customers would be standing. Since the operation of the table-side dancing depends on the availability of free tables I would suggest that the proposed occupancy figure for the club be re-considered.
16. You state that occasionally, hen nights will take place at the club. Will the security measures and general arrangements differ from the gentlemen's club operation?
17. From the 2nd draft of your operational guidelines, would you please confirm your definition of "lewd and lascivious behaviour" and "inappropriate or illegal conduct" in relation to the dancers and customers.
18. The code of conduct for the dancers includes the phrase "dancers will not perform in such a way as to purposely show the customers their genitalia". How will this condition be enforced?

Your early response to the above matters is important so as to progress the application as quickly as possible

Yours sincerely

Stewart Marsh
Environmental Health Officer
Food & Licensing

Cc :
Janet Swain, Licensing Officer
Susanna Poppleston, Poppleston Allen Solicitors

Poppleston Allen

LICENSING SOLICITORS

Mr S Marsh
Environmental Health Officer
Nottingham City Council
Development & Environmental Services
Lawrence House
Talbot Street
Nottingham NG1 5NT

Date: 18 February 2003

Our ref: JMS.he.0016

Your ref: SM

E-mail: j.smith@popall.co.uk

Direct line: 0115 953 8505

By fax & by post 915 6145

DEVELOPMENT &
ENVIRONMENTAL

19 FEB 2003

SERVICES

Dear Stewart

Application for Variation of Public Entertainment Licence
Application for Consent to Alterations
Isis, Redfield Road, Nottingham
Proposed Gentleman's Table-side Dancing Club – The Crocodile Club

Further to your letter addressed to Dave Keetley he has asked us to respond on his behalf.

I enclose amended plans showing table numbers, the relocation of the wash up area to the store room, the DJ booth relocating to the glass wash and a hatch shown above the kitchen into the Crocodile Club. I also enclose amended operational guidelines Draft 4, 17th February 2003 with additions underlined and omissions arrowed on pages 6, 7, 11, 13, 15, 17, and 23. Page 13 has been amended at the request of Mary Lou Hemsley.

Using your numbered paragraphs we would comment:-

1. Table side dancing will involve dancing by females (and on occasions males) as the side of a table in a state of partial or total undress. Dancers will be full time employees where they are only dancing at the Crocodile Club. If they are dancers at clubs other than the Crocodile Club then they will be self employed. The operational guidelines have been amended to reflect this and a copy of the amended guidelines (3rd draft) are enclosed for your attention
2. The maximum number of dancers at any one time would be 40. We enclose an amended plan showing the final seating arrangement layouts together with labelled seats. Tables which are numbered 12 – 31 are tables at which nude or topless dancing

Partners · Jeremy Allen · Susanna Poppleston · Lisa Sharkey · Jonathan Smith · Paddy Whurr

37 Stoney Street, The Lace Market, Nottingham NG1 1LS
Telephone: 0115 953 8500 Fax: 0115 953 8501 DX 10100 Nottingham
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will take place. Tables numbered 32 – 46 are tables at which topless only dancing will take place.

3. The booths will be full height at the back where the booths do not back onto the public areas. Where the booths do back onto the public areas then they will be no higher than 5 feet. Dave Keetley is anxious to ensure that there is a balance between security and also the privacy of the dancers and the customers. Most clubs operate with separate rooms but it is not Dave Keetley's intention to do that here. There will be a system of security zoning. A single member of security will look after each of the following clusters of tables 12-17, 18-19, 20-24, 24-26, 27-31, 32-38, 39-42, 43-46. You will see therefore that the maximum number of security supervising the tables would be 8 at any one time if all clusters were in use. A cluster of tables would not be used without a member of security being present. As soon as one of the tables is used in the cluster then a member of security will be supervising that table. It will be an operational matter for Mr Keetley to ensure that he has a sufficient number of security staff for the customers. If only three members of security are on duty then only three clusters of tables will be used.
 4. See comments on 3 above.
 5. The lighting levels will be at a level to be agreed with yourself once the works to the premises have been completed. You may need to see the premises in operation in order to fix the lighting to an appropriate level.
 6. The changing room door accessed via the stage will be security coded. The changing room will have lockable lockers for personal belongings.
 7. No other entertainment will take place other than tableside dancing except for pre-recorded music. There will be no videos.
 8. The doors labelled D1 & D2 from the Crocodile Club into the lobby areas will be alarmed. The lobby areas will also be covered by CCTV. Even if a member of staff wanted to go through the door to access any of the staff areas then the alarm would still go off and the member of staff would have to radio reception to arrange for the alarm to be deactivated. Upon hearing any alarm then a member of security would immediately go to the door in question.
 9. Food is to be served through a hatch into the Crocodile Club and this hatch is shown enclosed amended plans.
 10. This will be provided directly from the architect – but please see additional detail on plan.
 11. We confirm that the VIP bar and the island bar to the right hand side of the plans are remaining with the same hand and equipment washing facilities.
 12. Confirmed
 13. All ventilation levels will be provided to the appropriate British standard and building regulation standard.
-

14. Music will be pre-recorded and will be provided and controlled from the current wash up area which is being relocated to the store room on the top right hand side corner of the plans. There will be a 'compère' /DJ in this room.
15. Whilst we appreciate your comments about the number of covers shown patrons would be free to stand at the island bar or at the VIP bar. It is clearly not in our clients interest to encourage people to merely stand around without actually sitting at a table and making the appropriate payment to watch a dance. My client has received a letter from the fire service confirming that 400 is an appropriate capacity and my client wishes to retain that figure. If full the premises would have a maximum of 40 dancers, 8 door supervisors monitoring the tables as well as door staff at the entrance with other staff and management there will be a total number of between 60 – 70 (including dancers) when the premises are trading at capacity.
16. The operational guidelines were amended so that they were 'neutral' ie would apply to both male and female dancers.
17. We have removed the reference to 'lewd and lascivious behaviour'. Upon looking at a dictionary definition of these words it appears that this would exclude any 'sexy, erotic, sensual' behaviour. With regard to 'inappropriate or illegal conduct' this obviously covers any criminal act but in particular any attempt to procure sex or sexual contact.
18. This will be enforced by the members of security standing in a particular zone. Dancers will have signed up to the code of conduct and should any dancer be found to be in breach of the code of conduct then those dancers could be either dismissed as employees or alternatively their contract terminated. Mystery shoppers will also be used on occasions to ensure that the correct standards are being met by dancers and security. CCTV will also be in operation covering all areas where dancers are performing.

Yours sincerely



Jonathan Smith

APPENDIX 3



Your Ref:
Our Ref: DB21/91/RM/TS
Please Ask For: Sub Officer Mackie
Direct Line/Ext.: 143
Date: 3 February 2003

City of Nottingham
Environmental Services
Lawrence House
Talbot Street
Nottingham
NG1 5NT

**Nottinghamshire Fire and
Rescue Service**

Chief Fire Officer P Woods MSc MCGI MIFireE
Central Fire Station
Fire Safety Licensing Department,
Shakespeare Street
Nottingham,
NG1 4FB

For the Attention of Sue Bowler

Tel. 0115 9598758 Fax. 0115 948 0137

D24

Dear Madam,

REFERENCE: LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

PREMISES: ISIS, REDFIELD ROAD, LENTON, NOTTINGHAM

I refer to the inspection of the above premises carried out as a result of the application for Variation of Public Entertainment Licence under the above Act.

I have to inform you that the Fire Authority is not yet satisfied that the fire precautions for the premises are such as may reasonably be required in connection with the use of the premises.

It is recommended that before the application for the above Licence is granted, the observations contained in the enclosed report should be implemented.

Yours faithfully

FIRE SAFETY OFFICER

Enc.

ARE YOU AND YOUR STAFF PREPARED?
*For all your Fire Safety training needs contact the
Nottinghamshire Fire & Rescue Service*



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**NOTTINGHAMSHIRE & CITY OF NOTTINGHAM
FIRE AUTHORITY****NOTTINGHAMSHIRE FIRE & RESCUE SERVICE****LICENSING FIRE SAFETY REPORT**

Legislation: Licensing Act 1964
Premises Name: Isis
Premises Address: Redfield Road
Lenton
Nottingham
Reference: DB21/0091

OBSERVATIONS:**OCCUPANCY FIGURES**

A plaque indicating the maximum numbers of persons that may safely be accommodated on the premises is to be fixed in a conspicuous position at the main entrance.

A similar notice is to be sited at each entrance to other designated areas within the premises. The lettering is to be on a conspicuous background with a minimum size of 25mm (1 inch).

Maximum Occupancy Figures are as follows:-

Ground Floor	-	1000 Persons
First Floor - New Bar	-	200 Persons
First Floor - Crocodile Club	-	400 Persons
TOTAL	-	1600 Persons excluding staff

NOTICES

All signs and notices are to comply with current British Standard 5499 : Part 1 - 'Fire Safety Signs, Notices and Graphic Symbols' or the Health and Safety (Safety Signs and Signals) Regulations 1996 as appropriate.

DECOR

FLAMMABILITY OF FURNITURE, CURTAINS, CARPETS AND ARTIFICIAL FLOWER FOLIAGE

Apart from small areas the surface linings, finishes of walls and ceilings should be of Class "O" (as described by Building Regulations) in escape routes and Class 1 (in accordance with current British Standard 476: Part 7) in rooms.

Any curtains or drapes in areas where the public are admitted should be either inherently fire retardant or rendered fire retardant by treatment.

Any carpets or similar floor coverings in areas where the public are admitted should be of a type which when tested in accordance with current British Standard 4790 would achieve a low radius rating defined in current British Standard 5287.

All upholstered furniture in areas where the public are admitted should be capable of passing the "Smouldering Cigarette and Butane Flame" test described in British Standard 5852: Part 2: 1982 and Part 1: 1979.

The use of candles in bottles is NOT permitted.

Candles in approved candle holders are permitted. The design criteria considered necessary for the candle holder to be relatively safe for use are:-

- a) The candle holder must have a heavily weighted base so as not to be top heavy.
- b) The candle must be in a spring loaded metal tube.
- c) Any melted wax must be collected at the bottom of the metal tube.
- d) There must be a glass bowl fitted around the flame, with the smallest possible opening in order to reduce the possibility of accidental ignition of clothing.

Where any other method be under consideration, prior consultation with the Fire Authority must take place.

All artificial flowers and plants, 'bric-a-brac' or other materials used for theme/artistic displays or decoration should be of the type that is either inherently flame proof or durably flame proofed.

A Certificate of compliance should be provided.

STAFF TRAINING

All serving and newly appointed staff are to be trained in the action to be taken in case of fire and their duties with respect to the evacuation of the premises.

This should include:-

1. Location of exits.
2. Location and method of operation of extinguishers.
3. Location of fire alarm call points and main control panel.
4. Maintenance of fire precautions to prevent the spread of fire i.e. self closing doors.
5. Action to be taken on discovering a fire.
6. Action to be taken on hearing the fire alarm.
7. How to evacuate members of the public safely.

LOG BOOK

A log book is to be provided in which the following information, with dates, should be recorded:-

- a) Weekly test of fire alarm system
- b) Monthly test of emergency lighting
- c) Annual test of fire fighting equipment
- d) Monthly inspection and maintenance of all means of escape doors
- e) Regular fire instruction and training to all members of Committee, Stewards and Staff.

The log book **MUST** be readily available for inspection by the Fire Authority as and when required.

MANAGERS RESPONSIBILITIES

The responsibilities of the management are detailed in the enclosed guidance note FP 10/19.

OUTSIDE CONTRACTORS

It is recommended that if any of the above items are to be put out to tender, then a copy of the plan and/or the report should be sent to all prospective contractors.

HEADQUARTERS

Sherwood Lodge, Arnold,

Nottingham NG5 8PP

DX 715806 ARNOLD 3

Direct Line 0115 9672714

Fax 0115 9672719

Our Ref HQ(CJ)L MLH/AS

17 February 2003

FOR THE ATTENTION OF MRS J SWAIN

~~Nottingham City Council~~
Environmental Health
Lawrence House
Talbot Street
NOTTINGHAM NG1 5NT

Dear Sir

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
APPLICATION FOR VARIATION OF PEL – ISIS, REDFIELD WAY,
LENTON, NOTTINGHAM**

I refer to a recent application that has been received relative to the above.

After careful consideration, the Police do not wish to oppose this application. However, I would advise you that the CCTV system at the premises will not be adequate and if this application were to proceed would need to be fully updated, therefore a CCTV condition would be required.

In relation to page 13 of the operational plan submitted, relating to drug matters, this would need to be amended to reflect the 'zero tolerance' policy in operation within clubwatch, of which ISIS is a member. The Police would also wish to see the actual premises drug policy document.

I hope this is of assistance.

Yours faithfully

M L Hemsley

Miss M L Hemsley
Licensing Officer
HQ(CJ)L



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