



Licensing and Appeals Sub Committee Hearing Panel

Date: Monday, 8 January 2024

Time: 10.00 am

Venue: Council Antechamber, Level 2, Town Hall Extension

This is a **supplementary agenda** containing additional information about the business of the meeting that was not available when the agenda was published

Access to the Council Antechamber

Public access to the Council Antechamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension..

There is no public access from any other entrances of the Extension.

Membership of the Licensing and Appeals Sub Committee Hearing Panel

Councillors - Evans, Hewitson and Hilal

Supplementary Agenda

4. **Sex Establishment Licence Renewal - Baby Platinum, 109 Princess Street, Manchester, M1 6JB** 3 - 8
Now contains additional information as submitted by the applicant's agent.

Further Information

For help, advice and information about this meeting please contact the Committee Officer:

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This supplementary agenda was issued on **Friday, 5 January 2024** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

STATEMENT ON BEHALF OF ABA LEISURE LIMITED

MS KAY MILLER, DIRECTOR

1. My name is Kay Miller. I am one of five Directors of ABA Leisure Limited (hereafter "ABA"), and on behalf of whom I make this statement in relation to the application dated 22 November 2023 to renew the sexual entertainment venue (SEV) licence no. 282257 for Baby Platinum, 109 Princess Street, Manchester M1 6JB (hereafter, "the Application").
2. I am making this statement to support the application to renew this SEV licence and to respond to the two representations that have been received against it.

Background

3. By way of background, I have worked at Baby Platinum since 2014. I was made a Director of ABA in 2022. Prior to working at Baby Platinum, I have worked in this industry since 2010.
4. I am therefore extremely knowledgeable of the industry and, in particular, how Baby Platinum operates and its requirements under the SEV licensing regime.

ABA Leisure Limited

5. ABA, formed in 2008, has operated SEV premises since 2009. It has five directors, all of whom have worked with ABA for many years. Therefore, ABA is an extremely experienced operator.
6. Baby Platinum opened on Princess Street in Manchester in 2009.

Management structure and employment

7. Clearly, we must adhere to a detailed SEV licence tailored for each site, which we have to apply to renew every year. As a result, ABA operates its venues very strictly and to a very high professional standard.
8. In addition to our board of five directors, we also have an operations manager who supports quality and service standards across our three sites. They are also trained to provide direct assistance in the premises if required, something which also informs their broader operational role.
9. We also invest significantly in our operation and compliance by ensuring we have a high number of employee staff on site when each premises is open. We also have in place accountability procedures to ensure we maintain these staffing levels. At Baby Platinum, Manchester our staffing on any given evening is as follows (noting that we have a larger overall team of 16 staff available):
 - 9.1 One general manager and three assistant managers (all of whom work full time hours). There are always two managers on each evening we are open.
 - 9.2 A receptionist who deals with customer entry to the premises.
 - 9.3 At least two bar staff and three supporting services staff (who, for example, wait on tables and so on).
 - 9.4 A till manager who processes customer payments for performances at the till station.
 - 9.5 A booth monitor, who directly monitors booth performances.
 - 9.6 Door staff in accordance with our SEV and premises licences.

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10. All management and staff dress professionally for their role.
11. It is very clear at all our premises who are staff and who are performers (who are independent contractors).
12. All employment policies and procedures adopted adhere to employment law, and as advised by our legal representatives and follow the SEV licence conditions regarding eligibility to work, payment and remuneration records, as well as employment record keeping.
13. We carefully recruit our staff and performers. It is clear to all staff and performers that they are expected to uphold high professional standards.
14. This is as you would expect from any professional business.

Operation of Baby Platinum, Manchester

15. I am concerned that the representations simply do not understand the nature of Baby Platinum, its operation and its regulation.
16. Baby Platinum offers no-contact full nude performances and nothing more. It always has done.
17. This is built into the SEV licence conditions (no. 19 – 24) - and the performers Code of Conduct (which has a broader scope) - which regulate the nature of the performance (what it must not include), physical contact between performers and customers, physical contact between performers, as well as prohibits inappropriate conduct and language.
18. In addition, Baby Platinum is designed to be a dancing venue. This is clear from the plan. It has a large bar area, where staff and performers can meet each other (and build a rapport before a performance). There is not a general performance / dance floor. There are private performance booths.
19. The premises and performances, in particular, are supervised in many highly effective ways. We operate an HD CCTV system in all public areas (including the booths), with audio at till points where performances are booked. The use of audio at till points goes beyond the SEV licence requirements but provides an additional level of security, safety and monitoring. The SEV licence conditions the supervision of performances, the non-enclosure of booths and the requirement for a line of sight from outside the booth. The performances take place in a part of the booth where the performer can be seen by the monitor. Our table service also allows our staff to conduct checks.
20. In addition, the premises operates with a full and appropriate complement of door staff, provided by a firm we have engaged for several years. So, they understand our business and our requirements. Staff safety more generally is particularly reinforced with our door staff. For example, at the end of the evening, the door staff do not simply open and close the premises door. They will ask how the performer or staff member is getting home, they will ensure they wait with them for any vehicles arriving, ensure they get in safely and walk them to vehicle if required. We also operate NiteNet radio system.
21. These measures uphold our standards and expectations of performers, staff and customers alike. They also help make the premises a safe, regulated and professional place to work.
22. In addition, the CCTV and door staff provisions particularly enhance the safety of the vicinity of the premises and support the authorities with their statutory duties.

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Customers

23. We are operating a safe and respectful business. Therefore, we expect our customers to be respectful - something that is reinforced by the way the premises operates.
24. Intoxicated people are not permitted into the premises. In addition to Challenge 25, we operate an ID scan system, that records customers' details and a facial picture of the customer as they enter the premises. This works in conjunction with our HD CCTV system. A refusals log is also maintained in relation to entry.

Performers

25. Our performers are adult autonomous women who choose to work in this industry. They have many reasons why they have chosen this industry in which to earn money. Most of our performers are 22 years old and above.
26. I know that our regular performers like working here because of the strict rules that we have in place, and our strict adherence to them. Quite simply, it makes them feel safe and respected.
27. We also have a strong emphasis on performer welfare, which is of paramount concern.

Performers Welfare Policy

28. Performer welfare is built into the SEV licence, and the conditions are strictly adhered to. This includes not only the monitoring and safety conditions, but also provisions that promote the privacy of performers (conditions 29 - 31) when they are not in the public area of the premises.
29. In addition to the performers Code of Conduct, we have introduced a separate Performers Welfare Policy (PWP) document which all performers read and sign with their manager at their induction. This pulls together the various elements within our business practise of how we support the welfare of our performers. This includes a new well-being questionnaire which are at Exhibit 3a and 3b to the Application Form. Our welfare and wellbeing measures serve to ensure that the performers are happy to perform, of their own accord at the premises. This is as you would expect any responsible business to do. It is simply another indicator that we are responsible operators that take our legal and pastoral obligations seriously.
30. You will see from the contents of the PWP that it goes beyond the conditions on the SEV regarding the protection of performers (conditions 29 - 36).
31. There is also a clear practical emphasis in the PWP on talking openly with staff about any issues they may have, whether they are of a professional or a more personal nature. For example, there is guidance within their code of conduct and it is part of their booth point system induction. There are displayed notices in the changing room facilities and office on how to raise issues or disputes.
32. In addition to the conditions and policies, I should point out that performer welfare does not stop there. Our managers were all staff at one time. As a result, they have worked with our performers for many years and have an open professional relationship with them. The management role is a very interactive role that involves them circulating around the premises much of the time with staff and performers.

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Representations (authorities / residents)

33. The lack of representations from the authorities in particular strongly suggests that they are satisfied with the way the premises is being operated under the SEV regime.
34. In fact, at an earlier premises visit this year (during the consultation period) it was remarked on how well the premises operated.
35. The premises not only operates to a high and compliant standard but, I would go so far as to say that it is one of the best SEV premises in Greater Manchester, and it operates far better than any 'non SEV' premises.

Representations from groups

36. I would now like to address the specific allegations raised in the two representations received as they are unfairly and publicly tarring the premises with an unpleasant brush.
37. Neither objection indicates that their authors have been to the premises.
38. ABA clearly understands that sexual violence against women and derogatory and discriminatory attitudes should not be tolerated. However, the issues raised in the representations in relation to this very serious topic do not reflect the premises' operation.

Objection 1 - research

39. One objection makes several direct and strongly worded assertions regarding the association between the operation of SEVs on the one hand, and sexual assault and problematic (discriminatory) attitudes on the other.
40. I would like to highlight that the representation does not refer to the individual operation of Baby Platinum in Princess Street, Manchester.
41. The premises does NOT have any connection to sexual assault either in or away from the premises. If it did, we would be addressing representations from, for example, the police at the very least.
42. Neither do we (nor our staff or performers) tolerate sexist or discriminatory behaviours or language on our premises. Again, there is no evidence to suggest that we do.

Objection 2

'Stripped, the Reality of Lap Dancing'

43. The book was published in 2011 and does not comment upon or reflect performing at Baby Platinum, Manchester in 2023.
44. The quote cited in the representation is a far cry from how the premises operates.
45. There is absolutely no evidence at all within any of the representations to support the further contention that Baby Platinum, Manchester impacts on local views and treatment of females or has a negative impact across the more general Manchester population.
46. Our premises does not promote inequality or put our dancers in a position of inferiority. They are treated with the utmost respect throughout their work, and we expect that of our customers too. Derogatory and inappropriate conduct and language are not tolerated by us, our staff or the performers. Such language and conduct are not supported by the presence or the style of operation of the premises. They are directly and overtly challenged if they are demonstrated.

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47. It is the performers' legitimate and informed decision to work for us. It also the legitimate decision of some women to visit our premises as customers.

Indeed website reviews

48. *Indeed* is a recruitment site, part of which permits employees to put up reviews. I do not know if the reviews are moderated. The representation uses the comments on *Indeed* to claim "*I am unsurprised to read concerning reviews from workers*".

49. I would like to provide some context to this very broad comment.

50. I have read the reviews carefully.

51. There are 17 reviews, 10 of which appear to relate to Baby Platinum, Manchester (the first being in 2022) and 7 of which are not 'positive'. The comments are anonymous and not substantiated. Neither have they been adjudicated in any way.

52. The number of negative reviews is small, particularly when compared to the number of staff that we have working at the premises during any given year.

53. The reviews reflect opinion, and I would suggest that much of the displeasure expressed in the reviews reflects the strict standards by which we operate the premises – which will come as a surprise to some and is not suited to everyone. We do not keep those who fall short of these requirements, which on very rare occasions can result in a bad review.

54. I am aware that a review on *Indeed* had stated that customers are not removed if they touch non-performer staff. In addition to strict rules around non-touching of performers, we absolutely do not tolerate any inappropriate and unwanted touching of non-performer staff by customers. Staff are encouraged to raise any such concerns immediately and will be supported in resolving the issue.

55. I am also aware that one review states high heels have to be worn. Flat heels have been a routine uniform option since 2020.

56. Save for this, the reviews refer to general employment issues that do not form part of the SEV licence or engage the renewal test.

Reference to 'girls' in social media posts

57. Turning to the comment that "*We see the applicants [sic] social media post include women referred to as 'girls'*".

58. We operate a female-orientated premises and the terms 'girls' has been used simply as a friendly term and it certainly was not intended to cause offence to anyone. Nevertheless, we now refrain from using the word 'girls'.

59. We decided not to use the word 'girls' to reinforce the performers are professional, adult, autonomous women working in a corporate and regulated business. I have confirmed in this statement how we operate our business removes any sense of power imbalance against women and our customers.

60. Finally, I would like to thank the Committee and those who have objected to the application for taking the time to read this statement.

KAY MILLER, DIRECTOR (ABA LEISURE LIMITED)
DATED: 5 JANUARY 2024

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