

## LICENSING SUB COMMITTEE (SEV'S)

TUESDAY, 12TH JUNE, 2012

**PRESENT:** Councillor S Armitage in the Chair  
Councillors B Gettings and G Hussain

**6 Election of the Chair**

**RESOLVED** – That Councillor Armitage be elected Chair of the meeting

**7 Exempt Information - Possible Exclusion of the Press and Public**

The Sub Committee felt that the hearing should be held in the public domain and agreed that wherever possible, specific reference to the contents of the exempt information contained within Appendix B of the report should not be referred to, however if it became necessary, the public and press would be excluded from the meeting as follows:

**RESOLVED** – That the public be excluded from the meeting during consideration of that part of the agenda designated as exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information as contained in Appendix B of the report referred to in minute 10 both in terms of Regulation 14 of the Licensing Act 2003 (Hearing Regulations 2005) and the Licensing Procedure Rules, and on the grounds that it is not in the public interest to disclose the contents as the information therein pertains to an individual and that person would not reasonably expect their personal information or discussions thereon to be in the public domain.

**8 Late Items**

No formal late items of business were added to the agenda for the meeting

**9 Declarations of interest**

There were no declarations of interest

**10 "Deep Blue" - Application for the grant of a sex establishment licence for: Deep Blue, 36 Wellington Street, Leeds LS1 2DE**

The Licensing Sub Committee considered the report of the Head of Licensing and Registration on an application made under Section 2 (Schedule 3) of the Local Government (Miscellaneous Provisions) Act 1982 for the grant of a sex establishment licence. The application was made by Ruby May Holdings (1) Limited of Unit 40 Low Friar House, Low Friar Street, Newcastle Upon Tyne, NE1 5UF relating to the premises known as 'Deep Blue', 36, Wellington Street, Leeds LS1 2DE. The basement, ground and first floors are to be covered under the provisions of the licence with proposed hours of operation are 10:00 until 06:30 seven days per week.

Appendix B of the report was exempt from publication under Access to Information Procedure Rule 10.4 (1, 2 & 3), and Regulation 14 of the Licensing Act 2003 (Hearing Regulations 2005) however the Sub Committee

resolved not to specifically discuss the exempt information to allow the hearing to be held in public.

The application attracted a total of 32 objections, including 4 from elected members and 1 from a member of parliament. A further objection was received from Councillor Rebecca Charwood which was counter signed by a further 19 elected members, 8 members of parliament, 1 member of European parliament, and 4 leaders of religious groups. Four letters in support of the application had also been received.

Members noted that only one of the objectors, Councillor Lowe, attended the hearing to make a verbal submission. Members therefore resolved to consider the written objections contained within the documents before them and proceed in the absence of the objectors

Present at the hearing were

For Deep Blue

Mr P Whur – solicitor for the applicant  
Mr N Quadrini - applicant  
Mr P Gourlay – Designated Premises Supervisor  
Mr R Etchells – expert witness  
Ms K Thompson – expert witness  
Ms M Ligerzia – Applicant's representative

Objectors

Councillor A Lowe

The applicant supplied additional documents in support of the application which included copies of management Policies relating to Dancers Welfare, Dancers Code of Conduct, Customers Code of Conduct, Fining Policy, Pricing Policy and Trade Union Details.

The Sub Committee heard from Mr Whur on behalf of the applicant who outlined the management and licensed history of the premises and, along with submissions from Mr Etchells and Ms Thompson, addressed matters relating to the external appearance, layout and capacity of the premises, advertising, safety and security, staff welfare, including fining and pricing policies, codes of conduct for customers and entertainers and the use of vehicles. Mr Whur also addressed the comments contained in the written objections commenting that many objections related to the principle of such establishments on moral grounds or were specific to other premises located elsewhere in the city. Mr Whur also dealt with objections specifically relating to Deep Blue concerning the location of the venue. Mr Whur noted no submissions had been received from West Yorkshire Police and referred the Sub Committee to the work of Professor T Sanders and her report on the lap dancing business in Leeds to provide a balance to the general objections received in regards to this application.

The Sub Committee then heard from Councillor Lowe who reiterated her concerns regarding the location of the venue at a major civic gateway near the railway station and close to shops, offices and residential units, the impact

of such venues on the City's aim to be child friendly and a safe, fair society and littering caused by flyers distributed by such venues.

Mr Whur concluded the submission for the applicant by reiterating that no objections had been received from local residents.

**RESOLVED –**

- a) To note the contents of both the written and verbal submissions
- b) To note that the application will be further deliberated on Friday 15<sup>th</sup> June 2012 – once all applications for the new Sex Establishment Licences to be issued under the terms of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by the Policing and Crime Act 2009) had been dealt with. The press and public will be excluded from those proceedings as it is in the public interest to allow the Members to have full and frank debate on the matter, as allowed under the provisions of the Licensing Procedure Rules. It was further noted that the decision of the Sub Committee would be made public at the end of the decision making process