

LICENSING SUB COMMITTEE (SEV'S)

WEDNESDAY, 13TH JUNE, 2012

PRESENT: Councillor S Armitage in the Chair

Councillors B Gettings and G Hussain

16 Election of the Chair

RESOLVED – That Councillor Armitage be elected Chair of the meeting

17 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 20 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.

18 Late Items

No formal late items of business were added to the agenda

19 Declarations of Interest

There were no declarations of interest

20 "Red Leopard" - Application for the grant of a sex establishment licence for: Red Leopard, 163/167 The Headrow, Leeds LS1 2QS

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 The application was made by Fellmore Limited of Suite 1, 3rd Floor, Jubilee Chambers, 163/167 The Headrow, Leeds for the premises known as 'Red Leopard', 163/167 The Headrow, Leeds LS1. The basement, ground and first floors are to be covered under the provisions of the licence with the proposed hours of operation are 00:00 until 00:00 (24hours) 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 had attracted a total of 40 objections, including 9 from elected members plus one from a member of parliament. A further objection from a different member of parliament was received marginally outside the 28 day period but as this was believed to be due to a delay caused by the postal system had been included within the documentation. No objectors attended the hearing, although several observers were in attendance, and the Sub Committee resolved to consider their written submissions in their absence and proceed with the hearing.

Present at the hearing were

<u>For Red Leopard</u>	<u>Observers (10)</u>	
Mr J Skeens – solicitor for the applicant	Mr P Whur Mr H Nejad	Mr R Etchells Mr P Gourlay
Mr D Butterworth – Licensing Consultant	Ms E Morris Ms M Cunningham	Mr L Wright Mr S Einarsson
Ms S Levine Mr D Marriner	Mr G Sharpe	Mr N Quadrini

The Sub Committee heard from Mr Skeens on behalf of the applicant who drew Members attention to relevant matters as he saw them including the location and external appearance of the venue, layout and policies submitted by the applicant. Mr Skeens highlighted that 3 letters in support of the application had been submitted but that these had been received out of time. He then addressed the following points:

- the leasehold history of the premises and current management arrangements
- the work previously undertaken in Leeds to draw up the Statement of Licensing Policy
- the development business plan submitted by the applicant, including details of the Employee Welfare Policy and Code of Practice
- advertising methods and security in terms of door staff and CCTV system

Mr Skeens also addressed the comments contained in the written objections and commented that most related to the principle of such establishments on moral grounds or appeared to seek to revisit the Statement of Licensing Policy already adopted by the Authority. Mr Skeens stated that just one objection was specific to Red Leopard with regards to the location of the venue adjacent to a bus stop on a busy street however he noted that bus services ceased using that stop by the time the venue was open in an evening. Mr Skeens also noted no submissions had been received from West Yorkshire Police.

Mr Skeens also highlighted some typographical errors in the wording of some of the standard conditions within the Statement of Licensing Policy and commented on the condition relating to stage shows (Condition 18)

In discussions with the Sub Committee, Mr Skeens and the applicant confirmed the following

- The venue currently employed a vehicle as part of its business plan. The applicant did confirm that the livery could be removed and would further review the need for the vehicle as taxis could be used instead to collect customers.
- A smoking area specifically for the dancers was available
- The usual operating hours were 21:00 until 06:00 hours although the venue would close at 04:00 hours if business was quiet
- The pyramid at the front entrance was a heater, primarily for the benefit of customers and door staff, and was not in use at the moment
- Friday and Saturdays were the busiest times, with up to 100 customers and 50 dancers being employed

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 15th June 2012 – once all applications for the new Sex Establishment Licence 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 the proceedings where Members deliberate the application 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