

LICENSING SUB COMMITTEE (SEV'S)

THURSDAY, 14TH JUNE, 2012

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

31 Election of Chair

RESOLVED – That Councillor Armitage be elected Chair for the meeting

32 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 35 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.

33 Late Items

No formal late items of business were added to the agenda

34 Declaration of Interests

There were no declarations of interest.

35 Application for the grant of a sex establishment licence for Silks, 2 Sovereign Place, Leeds LS1 4SP

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 Red Carpet Leisure (Leeds) Limited, 100 Roundhay Road, Leeds LS8 5AN for the premises known as `Silks`, 2 Sovereign place, Leeds LS1 4SP. The ground and first floors are to be covered under the provisions of the licence with the proposed hours of operation being 21L00 hours until 06:00 hours 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 29 objections, including 3 from elected members plus one from a member of parliament. A further objection was received from Councillor Charlwood which had been countersigned by 19 elected members of Leeds City Council, 1 member of the European Parliament and 4 leaders of religious groups. 4 letters of support had also been submitted. No objectors attended the hearing and the Sub Committee resolved to consider their written submissions in their absence and proceed with the hearing.

Present at the hearing were

For Silks

Mr A Lyons - solicitor for the applicant

Mr G Hutchinson - Manager

Ms E Morris – Premise Licence Holder

Ms M Cunningham – Designated
Premises Supervisor

Objectors

Councillor C Macniven

Councillor R Charlwood

The Sub Committee heard first from Mr Lyons on behalf of the applicant who addressed the application and management policies and highlighted the following matters:

- location of the premises within an area of offices, car parks and the Hilton Hotel and away from other city centre bars
- the discreet nature of the venue in terms of window display, advertisements and external signs and the requirement for de-littering any flyers. Mr Lyons also stated that performers did not distribute flyers
- the use of the Hummer vehicle to collect customers. Mr Lyons suggested that 70% of the venues business was generated through the Hummer vehicle, as the location of the venue meant that potential customers would not find it
- the Code of Conduct employed for drivers of the Hummer vehicle
- the capacity of the venue in terms of the number of dancers and patrons
- dress code for dancers who went outside the premises onto the public thoroughfare to smoke

Mr Lyons then addressed the contents of the letters of objection, noting that some were general in nature and not specific to Silks. Mr Lyons clarified the current opening hours of the premises and provided further detail on the business model of the premises. He also responded to questions regarding the use and livery of the Hummer vehicle, the conduct and management of drivers, the value of the vehicle as a marketing tool and the employment status of dancers

The Sub Committee then heard from Councillor Charlwood who referred to approach adopted by other licensing authorities, expressed concern over the strength of the law governing licensing of such venues and emphasised her concerns relating to the impact of such establishments on the city and the safety and welfare of women in the locality and working at the venues.

Mr Lyons concluded by referring members to the Statement of Licensing Policy and reiterating the importance of the Hummer vehicle to the business

RESOLVED –

- a) a) To note the contents of both the written and verbal submissions
- b) 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