

## Licensing Sub-Committee

Tuesday, 1st December, 2015

**PRESENT:** Councillor J Dunn in the Chair

Councillors N Buckley and G Hussain

**109 Election of the Chair**

**RESOLVED** – That Councillor J Dunn be elected Chair for the duration of the meeting

**110 Appeals Against Refusal of Inspection of Documents**

There were no appeals against refusal of the inspection of documents

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

**RESOLVED** – That, in accordance with Regulation 4 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of those parts of the agenda designated as exempt from publication in accordance with paragraph 10.4 (1, 2 and 3) of Schedule 12A(3) of the Local Government Act 1972. The reason for the exemptions being on the grounds that the information contained within the documents relate to individuals and include information which is likely to reveal the identity of the individuals which they would not ordinarily expect to be in the public domain. It is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, due to the impact that the disclosure of the information would have on the individuals. (Appendix B of Agenda item 6 “Liberté” Application for renewal of a Sex Establishment Licence and Appendix B to Agenda item 7 “The Purple Door” Application for renewal of a Sex Establishment Licence refer). (Minutes 114 The Purple Door and 115 Liberté refer)

**112 Late Items**

No formal late items of business were added to the agenda, however an additional document was presented in respect of Agenda item 6 Liberté – A copy of the current Dancers Welfare and Information Pack (minute 115 refers)

**113 Declarations of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests

**114 Application for the Renewal of a Sex Establishment Licence for Purple Door, 5 York Place, Leeds LS1 2DR**

The Head of Elections, Licensing and Registration submitted a report on an application received from Ruby May (2) Ltd for the renewal of a Sex Establishment Licence in respect of the premises known as “Purple Door”, 5 York Place, Leeds LS1 2DR.

The application was made under the provisions of Section 2 and Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 seeking

renewal of the Licence in order to provide sexual entertainment in the form of lap dancing.

The Legal Advisor to the Sub Committee outlined the procedure at the hearing and the Licensing Officer presented the application, which included consideration of the external appearance of the premises and all advertising material used to promote the business. The report included the following:

- Dancers Welfare Policy
- Dancers Code of Conduct
- Customers Code of Conduct
- Pricing Policy
- Trade Union Details

The report also outlined the history of previous applications and renewals related to the premises and provided context in respect of the current Leeds City Council Statement of Licensing Policy for Sex Establishments.

No representations had been received from the responsible authorities and no objections had been received in respect of the application

Mr P Whur attended the hearing as the applicants' legal representative and was accompanied by Mr N Quadrini; Mr A Benosenko; Mr C Copeland and Mr N Kushnor from the Purple Door. A number of observers also attended the hearing

Mr P Whur addressed the Sub-Committee in support of the application and gave a brief overview of the licence history of the premises. Mr Whur confirmed that no changes had been made to the advertising material employed by the venue or to the external appearance of the venue during the last 12 months since the Licence was last renewed. Additionally, no issues had been raised or representations received from the responsible authorities to the application. No complaints had been received by the venue in respect of its appearance or operation. Mr Whur contended that this suggested the premises were run successfully.

Mr Whur concluded by reiterating the applicants' regard for compliance with the legislation and the investment made by the applicant to the interior of the venue. Finally, Members attention was drawn to that part of the report which set out the options available to the Sub Committee when determining such applications. Mr Whur concluded that none of the mandatory or discretionary grounds for refusal applied to the Purple Door application.

Members had no questions for the applicant although the comment welcoming the content of the Dancers Welfare pack was noted

The Licensing Sub-Committee carefully considered the application, the report and the representations made at the hearing.

**RESOLVED** – That the application for the renewal of the licence in relation to the Purple Door be granted as requested.

To clarify, this licence shall run until 30<sup>th</sup> September 2016

- The current licence conditions apply
- The hours of operation will continue to be:
 

Sunday to Thursday	22:00 until 04:00 hours
Friday & Saturday	22:00 until 05:00 hours

**115 Application for the Renewal of a Sex Establishment Licence for Liberte, 10 York Place, Leeds LS1 2DS**

The Head of Elections, Licensing and Registration submitted a report on an application for the annual renewal of a Sex Establishment Licence in respect of the premises known as "Liberté", 10 York Place, Leeds, LS1 2DS. The application was made under the provisions of Section 2 and Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 seeking renewal of the Licence in order to provide sexual entertainment in the form of lap dancing.

The application included consideration of the external appearance of the premises and all advertising material used to promote the business. The report included the following:

- Dancers Welfare Policy
- Dancers Code of Conduct
- Customers Code of Conduct
- Pricing Policy
- Trade Union Details

Just prior to the hearing, the Licensing Officer and the applicant's representative discussed the contents of the Dancers Welfare Pack which had been submitted with the application. It became clear that the version submitted was not the document that the premises currently employed. As such, the Sub Committee re-ordered the agenda for the meeting and dealt with another application, affording the applicant the time to retrieve the correct version of the Dancers Welfare Pack from the premises and present it with the application. That document was presented to the hearing, with the agreement of all parties present.

Mr J Hughes, barrister acting for the applicants attended the hearing, accompanied by Mr W Gubbins (Jeffery Green Russell, solicitors), Mr S Mohamed, Ms M Haruta, Mr L Phillip, Mr G Loliva, Mr P Rgyapong and Mr T Fall; all associated with the premises itself. Several observers also attended the hearing.

The Legal Advisor to the Sub Committee outlined the procedure of the hearing, noting the submission of the additional document - the Dancers Welfare Pack - and clarifying the Authority's concerns that the document submitted within the application referenced fining of the Dancers which was no longer permitted under Leeds' Statement of Licensing Policy as amended in 2013. In response to a direct question from the Chair, Mr Hughes confirmed that no fines had been levied on the dancers during the previous year. The Licensing Officer then presented the application.

Mr J Hughes then addressed the hearing outlining the renewal application. He stated that Liberté had operated a Sex Establishment Licence for four years and

