

Report of the Head of Elections, Licensing and Registration

Report to the Licensing Sub Committee

Date: Tuesday 8th November 2016

**Subject: Application for the Transfer of a Sex Establishment Licence for Silks,
2 Sovereign Place, Leeds, LS1 4SP**

Are specific electoral Wards affected? City and Hunslet	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, Access to Information Procedure Rule number: 10.4 (1, 2 & 3)		
Appendix number: B		

Summary of Main Issues

Members are requested to consider the transfer of a sex establishment licence for the provision of sexual entertainment in the form of lap dancing.

It should be noted that this application was originally brought before Members for consideration on Tuesday 11th October 2016. However due to the unexpected absence of one of the Members, the decision was made to adjourn the hearing as the meeting was no longer quorate with only two Members.

The transfer application is made for `Silks`, which operates from 2 Sovereign Place, Leeds LS1 4SP. The current licence was issued for a period of twelve months, expiring on 1st May 2017.

The applicant is now seeking to transfer the licence from Red Carpet Leisure (Leeds) Limited, Unit 7, Sheepscar Court, Northside Business Park, Leeds, LS7 2BB into the name of Elizabeth Mary Morris, 12 Oxford Street, East Ardsley, Wakefield WF3 2BT.

Details of the application and the relevant appendices are provided within the report.

1.0 Purpose of this Report

1.1 To advise Members of an application made under Section 2 and Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (the Act) for the transfer

of a sex establishment licence for the premises known as Silks, 2 Sovereign Place, Leeds, LS1 4SP.

2.0 History of these Premises

2.1 These premises have held a licence under the Licensing Act 2003 for the provision of regulated entertainment and sale of alcohol since 13th March 2009. It is understood that lap dancing has been held at the premises since that time.

3.0 The Application

3.1 Members are required to consider this application for the transfer of a sex establishment licence to authorise the activity of sexual entertainment in the form of lap dancing.

3.2 The application is made by Elizabeth Mary Morris, 12 Oxford Street, East Ardsley, Wakefield WF3 2BT

3.3 The application is for the premises known as `Silks', 2 Sovereign Place, Leeds, LS1 4SP. The ground and first floor are to be covered under the provisions of the licence.

3.4 The hours of operation are:
22:00hrs until 04:00hrs Sunday to Thursday
22:00hrs until 05:00hrs Friday and Saturday.

3.5 A partial copy of the application together with a full copy of the licence as effective from 31st March 216 may be found at Appendix A to this report.

3.6 It should be noted that certain information submitted within the application is potentially exempt information under Access to Information Procedure Rule 10.4 (1, 2 and 3) as it includes information which relates to individuals, is likely to reveal the identity of an individual and/or relates to the business affairs of any particular person. As a consequence Members are provided with a full copy of the application contained within a separate appendix B and will be asked to consider exclusion of the press and public from the hearing if those matters are to be discussed.

3.7 The West Yorkshire Police and all ward members have been notified of this application.

3.8 A public notice advertising the application has been displayed at the premises for a period of 21 days and published in the local press as required by the legislation.

3.9 No observations have been received from West Yorkshire Police concerning this application.

4.0 Licence compliance

4.1 There have been no notable contraventions of the licence or other matters to report.

5.0 Other Matters Relevant to the Application

5.1 A sex establishment licence will remain in force for up to one year, or for a shorter period should the licensing authority think fit.

5.2 Where, before the date of expiry of a licence, an application has been made for its renewal, it shall be deemed to remain in force notwithstanding that the date has passed until the withdrawal of the application or its determination by the appropriate authority.

6.0 Options Available to Members

6.1 The licensing sub-committee in considering the application under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 may take any of the following steps it considers necessary:

- Grant the application as requested attaching the standard conditions.
- Refuse the application on the following mandatory grounds:
 - if the applicant is under the age of 18,
 - if the applicant has a disqualification following the revocation of their licence
 - if the applicant is not-resident in an EEA state,
 - if the applicant is a company not incorporated in an EEA state,
 - if the applicant has, within a period of 12 months immediately preceding the date when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the applicant is made, unless the refusal has been reversed on appeal.
- Refuse the application on one or more of the following discretionary grounds:
 - That the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reasons;
 - That if the licence were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he made the application himself;

7.0 Recommendation

7.1 Members are asked to consider and determine the application.

8.0 Appendices

- Appendix A Copy of the Application
- Appendix B Exempt Information
- Appendix C Standard Conditions.