

**Licensing and Registration**

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Private & Confidential

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Contact: Susan Holden
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Your ref:

17th October 2016

Dear Mr Whur

Black Orchid, 64 Call Lane, Leeds, LS1 6DT
Application for a variation of a premises licence
Licensing Act 2003
Licensing Authority Letter of Representation

Thank you for submitting your application for the above premises.

I note that the application is for a new premises licence for a premises on Call Lane. The application seeks licensable activities Sunday to Thursday 18:00 to 05:00 and Friday and Saturday 18:00 to 06:00. You have completed box K which refers to adult entertainment services and stated that the premises is to be a gentlemen's club. The application offers various conditions which resemble those attached to sex establishment licences.

The area in which the premises is located is a cumulative impact area. It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in this area for alcohol led premises such as bars, pubs and nightclubs and for premises seeking late night refreshment such as takeaways and late opening restaurants, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

Specifically your application falls within the red area of the City Centre CIP. As stated at 7.20 of the Statement of Licensing Policy 2014 to 2018 the council will seek to refuse all applications in these red areas on the basis that the impact on the licensing objectives are at such a level that the area cannot support any more premises opening or extending their operation no matter how impressive the concept or application is.

I refer you to 7.51 to 7.53 of the Policy which describes how, when considering the presumption against grant in a CIP area, the council will need to be satisfied that the grant of this licence will not impact on the cumulative impact of existing licensed premises in the area. The council will

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only grant applications in the red zone in exceptional cases. It will be for you to advise the council how your application would allow Members to make an exception to the Policy.

I also refer you to 7.68 of the Policy which states examples of factors the licensing authority will not consider as meeting the standard of rebuttal include:

- That the premises will be well managed and run as all licensed premises should meet this standard.
- That the premises will be constructed to a high standard.
- That the applicant operates similar premises elsewhere, such as in another licensing authority area, without complaint.

Bearing in mind the severity of the problems being experienced with this area suffering from the highest levels of violent crime and disorder incidences in the city centre, the Licensing Authority is of the opinion that your application contains insufficient information about how your application would not add to the impact already being experienced.

This is an application for a new licence where one does not currently exist. The previous operators went into liquidation which meant the licence lapsed and the premises closed. Any licence, regardless of the measures offered or the style of operation, will increase capacity in an area already suffering from the impact of a high number of people during the peak hours. This area has suffered from high levels of violent crime and theft for a number of years and the latest statistics show that these levels are increasing. As such the licensing authority submits a formal representation against your application on the grounds of prevention of crime and disorder and recommends that the application is refused.

Should you have any questions, please contact us.

Yours faithfully



Susan Holden
Principal Project Officer
Entertainment Licensing