

LICENSING AND REGULATORY PANEL

MONDAY, 22ND FEBRUARY, 2010

PRESENT: Councillor R D Feldman in the Chair

Councillors M Dobson, J Dunn, V Morgan,
G Wilkinson and C Townsley

26 Exempt Information - Possible Exclusion of the Press and Public

RESOLVED – That the public be excluded from the meeting during consideration of that part of the agenda designated as exempt 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 so designated as follows:-

- Appendix D to the report referred to in minute 29 under the terms of Access to Information Procedure Rule 10.4(3) on the grounds that it is considered that it is not in the public interest to disclose the information relating to the financial and/or business affairs of the particular person mentioned within the document. The document contained information supplied by an objector to the application including their interpretation of the business conducted by the applicant, which would not normally be in the public domain and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time.

27 Declarations of Interest

There were no declarations of interest

28 Apologies for Absence

Apologies for absence were received from Councillors Armitage, Grayshon, Selby and Wilson

29 Application for Renewal of a Sex Establishment Licence - "Private Shop", 1st Floor, 209 North Street, Leeds 7 (10.4(7))

The Panel considered the report of the Assistant Chief Executive (Corporate Governance) on an application for the renewal of an existing Sex Establishment Licence in respect of the premises at 209 North Street, Leeds LS7. Application was made under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. The premises had operated from this location with the benefit of a Licence since permission was first granted on 24 July 2001.

A copy of the current licence and standard conditions attached to that licence was included in the report as Appendix A along with details of the applicants (Appendix B) and a site location map (Appendix C). The report also detailed the grounds for refusal of such an application as set out in Paragraph 12 of Schedule 3.

No objections had been submitted by the Statutory Authorities to the renewal application although the Licensing Authority had received an objection from a member of the public which had been marked as exempt and was contained in Appendix D to the report. The Panel noted the objector did not attend the meeting and there were no members of the public present.

Members considered the representation made by Mr C Sullivan, consultant for the applicant who was accompanied by Mr C Mason. Mr Sullivan addressed the comments made in the representation submitted by the objector. The Panel considered the application and having regard to the Act, the guidance contained within Paragraph 4 of the report, the submissions and evidence **RESOLVED** – That the application for the renewal of the Sex Establishment Licence for “Private Shop” at 209 North Street, Leeds 7 be granted as requested.

30 Application for the Renewal and Variation of a Sex Establishment Licence: Pulse and Cocktails, 114 - 116 Vicar Lane, Leeds LS2 7NL

The Panel considered the report of the Assistant Chief Executive (Corporate Governance) on an application for the renewal and variation of an existing Sex Establishment Licence in respect of the premises known as “Pulse and Cocktails”, 114-116 Vicar lane, Leeds LS2. Application was made under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. A Licence was first granted for the basement area of the premises on 25 February 2003.

No objections to either the renewal or variation proposals had been received from the Statutory Authorities. It was noted that officers had delegated authority to issue the renewal in these circumstances.

A copy of the current licence and standard conditions attached to that licence was included in the report as Appendix A along with details of the applicants (Appendix B) and a site location map (Appendix C). The report also detailed the grounds for refusal of such an application as set out in Paragraph 18 of Schedule 3.

The report detailed the variation request to extend the licensed trading area to include the ground floor area. The applicant had submitted floor plans and these were included within the report as Appendix D.

Officers reported the history of the application and it was noted this application had been made following a compliance visit to the premises when the display of sex articles was noted within the unlicensed ground floor area of the premises.

The Panel heard representation from Mr G Kidd, a Director of Cocktails Ltd the applicant company. He was accompanied by Ms C Boothby, Director. Mr Kidd addressed the compliance issues raised and confirmed that screens would be established to prevent views into the premises from the outside. He reported that the style of window display would remain unchanged although this would now incorporate a rear screen. The screens would be in place prior

to permission being implemented, should it be granted. Furthermore the window display would now be included within the “licensed area”.

Members received advice that the Licence was required to be renewed on an annual basis. Finally it was noted that all conditions attached to the current Licence for the basement area would apply to the ground floor if the variation was granted.

The Panel considered the application and having regard to the Act, the guidance contained within Paragraph 4 of the report, the submissions and evidence

RESOLVED – That the application for the variation of the Sex Establishment Licence for the premises known as “Pulse and Cocktails”, 114-116 Vicar Lane Leeds be granted as requested. The licensed area shall now be extended to include the Ground Floor as well as the Basement area.

31 Date and Time of Next meeting

RESOLVED – To note the date and time of the next meeting had been re-scheduled to Tuesday 23rd March 2010 at 10.00 am