

## Report of the Head of Licensing and Registration

### Report to Licensing Committee

**Date:** 26th June 2012

**Subject:** Results from the Sexual Entertainment Venue Applications

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

### Summary of main issues

1. Under the Local Government (Miscellaneous Provisions) Act 1982 the council has the ability to grant sex establishment licence authorising the activity of sexual entertainment. This brings lap dancing, pole dancing and strip tease into the same licensing regime as the licensing of sex shops and sex cinemas.
2. During the week commencing 11th June a specialist licensing sub-committee determined the applications of seven lap dancing clubs and this report provides the outcomes.

### Recommendations

1. That Licensing Committee notes the contents of this report.

## **1.0 Purpose of this report**

- 1.1 To advise Licensing Committee of the results of the licence applications of seven lap dancing clubs that were determined week commencing 11th June.

## **2.0 Background information**

- 2.1 The Policing and Crime Act 2009 amends the Local Government (Miscellaneous Provisions) Act 1982 and Schedule 3 to introduce a new classification of sex establishment, namely sexual entertainment venues. This brought a new licensing regime for lap dancing, pole dancing and other relevant entertainment venues.
- 2.2 Leeds City Council adopted the provisions of Schedule 3 on 19 January 2011. Extensive research and consultation with the trade, academics, action groups and the public resulted in a policy document that was passed by Executive Board in September 2011.
- 2.3 The policy adopted by Leeds City Council did not choose to place a limit on the number of permitted lap dancing venues within the city but instead set out the approach of encouraging the responsible promotion of licensed activities through frank discussions with the trade, the imposition of conditions and effective enforcement to address problems in partnership with key agencies.
- 2.4 The council does have the mandatory and discretionary grounds open to it to refuse any application for a licence. If it does not refuse it can impose appropriate conditions. The council's policy document contains 56 standard conditions which can be added to or varied at the discretion of the licensing sub committee on the granting of a licence.

## **3.0 Main issues**

- 3.1 The council received seven applications, all from premises which presently provide lap dancing under the terms of their existing licence issued under the Licensing Act 2003. If granted, these licences will take effect from 1 October 2012 and last for 12 months at which time an application will have to be made to renew.
- 3.2 Objections have been received from members of parliament, councillors, Leeds Object, Support After Rape and Sexual Violence Leeds and anonymous members of the public. These objections were primarily of a general nature dealing with all lap dancing clubs in Leeds, with a small number of objections specific to certain establishments.
- 3.3 Many objections received raised moral objections against lap dancing establishments in general.
- 3.4 Other objections received raised concerns about the numbers of lap dancing establishments in Leeds and asked for the number to be arbitrarily halved or capped. The policy adopted by Leeds City Council does not set a limit on the

numbers of establishments as each application will be judged on its own merits. The licensing sub committee notes that the policy is to be reviewed in approximately 18 months time. Any change to impose an overall limit on numbers can be considered at that time.

3.5 Further objections received raised concerns on the subjects of:

- Licensing of lap dancing was contrary to the Equality Act 2010.
- The unsuitability of the locality of the proposed establishments.
- Offensive signage, imagery, and littering of flyers.
- Length of opening hours applied for including daytime hours.
- Women's safety - both leaving work at night and going to work early morning.
- Dancers' welfare and their commercial exploitation.
- Licensing would be detrimental to the Vision of Leeds 2011-2030 as it undermines the "fair, open and welcoming" vision.

3.6 The licensing sub committee has considered all of these further objections when considering it's decisions.

3.7 The sub committee has also read the Eden reports of 2003 (Lilith Report) and 2007 relating to studies in London boroughs and those studies that seek to reevaluate those studies. Also considered has been the work by Dr Teela Sanders specific to Leeds.

3.8 The sub committee decided to grant all seven applications but with modified standard conditions as follows:

3.8.1 All standard conditions be applied subject to the following amendments:

3.8.2 **Condition 10** - Hours of opening will be: 10pm - 4am Sunday to Thursday, 10pm - 5am Friday and Saturday.

3.8.3 **Condition 24** - leafleting/distribution of flyers will be extended to require the licensee to remove any leaflets from the highway within a 100 metre radius of the distribution point by 6am in addition to the area surrounding the premises.

3.8.4 **Conditions 51 to 53** - The conditions relating to vehicles will be replaced by one condition not permitting vehicles to be used for personal solicitation, touting or advertising but allowing the transport of customers to or from the premises but only by the use of licensed hackney and private hire vehicles.

3.9 In addition the sub committee applied additional conditions to each licence:

3.9.1 **Liberte**

3.9.2 The basement level staff smoking area be shielded from view by the public by use of a canopy. No unsupervised contact to take place between dancers and customers when on smoking breaks.

3.9.3 Panic alarms are to be fitted to all booths and VIP areas.

3.9.4 **Deep Blue**

3.9.5 The terrace level staff smoking area to the rear of the property be used by dancers and they should be covered up at all times with the knee length robes supplied by the applicant.

3.9.6 The licence is granted subject to the applicant providing a revised draft logo for the premises; this to be approved by the members of this sub committee as set out in standard condition 19 requiring the exterior appearance of the premises to be approved by the council in writing. The revised logo must be presented for approval by 31 August 2012. The premises will not be permitted to operate after 1 October 2012 if not approved.

3.9.7 Panic alarms are to be fitted to all the booths and VIP performance areas.

3.9.8 **Purple Door**

3.9.9 The rear of the premises only will be used as a smoking area for the dancers who will be covered up at all times with the knee length robes supplied by the applicant. No unsupervised contact to take place between dancers and customers when on smoking breaks.

3.9.10 Panic alarms are to be fitted to all booths and VIP performance areas.

3.9.11 **Red Leopard**

3.9.12 The designated yard area only will be used as a smoking area for the dancers who will be covered up at all times with the knee length robes supplied by the applicant. No unsupervised contact to take place between dancers and customers when on smoking breaks.

3.9.13 No street furniture except a carpet with appropriate rope or rail be placed outside the premises.

3.9.14 Panic alarms are to be fitted to all booths and VIP performance areas.

3.9.15 The licence is granted subject to the applicant providing a revised draft of flyers and cards for distribution; this to be approved by the members of this sub committee as set out in standard condition 23 such materials to be approved by the council in writing. The material must be presented for approval by 31 August 2012. The premises will not be permitted to operate after 1 October 2012 if not approved.

3.9.16 **Wildcats**

3.9.17 The designated yard area only will be used as a smoking area for the dancers who will be covered up at all times with the knee length robes supplied by the applicant. No unsupervised contact to take place between dancers and customers when on smoking breaks.

3.9.18 No street furniture except a carpet with appropriate rope or rail be placed outside the premises.

3.9.19 Panic alarms to be fitted to all booths and VIP performance areas.

3.9.20 The cat woman logo be removed from the exterior of the premises.

#### 3.9.21 **Black Diamond**

3.9.22 The designated terrace area only will be used as a smoking area for the dancers who will be covered up at all times with the knee length robes supplied by the applicant. No unsupervised contact to take place between dancers and customers when on smoking breaks.

3.9.23 Panic alarms to be fitted to all booths and VIP performance areas.

#### 3.9.24 **Silks**

3.9.25 The licence is granted subject to the applicant providing a plan and scheme regarding where the dancers are to smoke and an example gown of the type to be worn by the dancers in the smoking area, this to be approved by the members of this sub committee as set out in standard condition 19; such external appearance to be approved by the council in writing. The material must be presented for approval by 31 August 2012. The premises will not be permitted to operate after 1 October 2012 if not approved.

3.9.26 Panic alarms to be fitted to all booths and VIP performance areas.

3.9.27 The woman silhouette be removed from the external signage.

3.10 The full Notices of Decision are attached at Appendix 1.

## **4.0 Corporate Considerations**

### **4.1 Consultation and Engagement**

4.1.1 This report is for information only and therefore there are no implications for consultation and engagement.

### **4.2 Equality and Diversity / Cohesion and Integration**

4.2.1 As this is an advisory report there are no issues relating to equality, diversity, cohesion and integration.

### **4.3 Council Policies and City Priorities**

4.3.1 This report concerns the result of the licensing hearings to determine sex establishment licences for the seven current lap dancing premises. The determinations are made in accordance with the council's Sex Establishment Statement of Licensing Policy.

#### **4.4 Resources and Value for Money**

4.4.1 There are no implications on resources or value for money.

#### **4.5 Legal Implications, Access to Information and Call In**

4.5.1 There are no legal implications for this report.

#### **4.6 Risk Management**

4.6.1 There are no issues relating to risk management.

### **5 Conclusions**

5.1 The specialist licensing sub committee determined the licence application for sex establishments made by the current seven lap dancing premises.

### **6 Recommendations**

6.1 That Licensing Committee notes the contents of the report.

### **7 Appendices**

7.1 Notice of Decisions for:  
Liberte  
Deep Blue  
Purple Door  
Red Leopard  
Wildcats  
Black Diamond  
Silks