

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: 11th September 2012

Subject: Application for the grant of a sex establishment licence for

Deep Blue, 36 Wellington Street, Leeds, LS1 2DE

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

Summary of main issues

In June 2012 the licensing subcommittee granted a sex establishment licence to the above premises but required additional material to be approved before the licence was to take effect.

1.0 Purpose of this report

1.1 To provide Members with additional material in respect of Deep Blue, 36 Wellington Street, Leeds LS1 2DE for approval before the sex establishment licence can be issued.

2.0 Background Information

2.1 The Policing and Crime Act 2009 amended the Local Government (Miscellaneous Provisions) Act 1982 Section 2 and Schedule 3 to introduce a new classification of sex establishment, namely sexual entertainment venues. This brought to lap dancing, pole dancing and other "relevant entertainment" into the same regime that has licensed sex shops and sex cinemas in the Leeds area since 1982.

2.2 In September 2011 the Executive Board of Leeds City Council adopted a Statement of Licensing Policy for Sex Establishments.

- 2.3 The new regime took effect from 1st October 2011 and all existing or new establishments wishing to provide sexual entertainment must have the relevant sex establishment licence in place before 1st October 2012.
- 2.4 Seven applications were received from existing operators all of which were approved by the Licensing Sub-Committee in June 2012, subject to conditions.
- 2.5 One of the successful premises was Deep Blue but the decision was conditional on additional material being approved by a licensing subcommittee before the licence is to be issued.
- 2.6 The decision stated:

The subcommittee resolved to grant a licence in this application, subject to the following conditions.

1. All standard conditions be applied subject to the following amendments
 - a. Condition 10 - hours of opening will be:
10pm - 4am Sunday to Thursday
10pm - 5am Friday and Saturday.
 - b. 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 6 am in addition to the area surrounding the premises.
 - c. 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 taxi and private hire vehicles.
2. 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. 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 subcommittee 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.
4. Panic alarms are to be fitted to all the booths and VIP performance areas.

3.0 Additional Material Submitted

3.1 Members are required to consider the additional material presented by the applicants, Ruby May Holdings (1) Ltd, Unit 40, Low Friar House, Newcastle Upon Tyne, NE1 5UF. This material comprises of:

- Amended logo (Appendix A)

4.0 Options available to members

4.1 The licensing sub-committee may take any of the following steps it considers necessary:

- Approve the material provided
- Reject the material provided

5.0 Recommendation

5.1 Members are asked to consider and determine if the additional material provided by the applicants is approved so that the licence may be issued.

6.0 Appendices

6.1 Appendix A – amended logo

7.0 Background papers

Notice of decision – Deep Blue

deep blue