

Report of the Chief Officer, Elections & Regulatory

Report to the Licensing Sub Committee

Date: Tuesday 21 May 2024

Subject: Application for the Transfer of a Sex Establishment Licence for Purple Door, 5 York Place, Leeds, LS1 2DR

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| Are specific electoral Wards affected? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| If relevant, name(s) of Ward(s): | Little London and Woodhouse | |
| 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 |

Summary of Main Issues

Members are requested to consider an application to transfer a Sex Establishment Licence for the provision of sexual entertainment in the form of lap dancing.

This application is made by Purple Door Holdings Limited as the proposed operator of the premises known as Purple Door, 5 York Place, Leeds, LS1 2DR.

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 Purple Door, 5 York Place, Leeds, LS1 2DR.

2.0 Background Information

2.1 In 2010 the Government introduced a new category of sex establishment called a “sexual entertainment venue”. This reclassified lap dancing clubs as sexual entertainment venues and gave local authorities the power to regulate such venues. The intention was to give local people greater say over the number and location of lap dancing clubs in their area.

2.2 In January 2011 the Council made a resolution to adopt the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act as amended by the Policing and Crime Act 2009, effective from 1st October 2011. The Council

adopted its first Statement of Licensing Policy for Sex Establishments in September 2011.

- 2.3 All seven premises that provided sexual entertainment in the form of lap dancing which existed at that time were granted licences that came into effect on the 1st October 2012 and expired 30th September 2013.
- 2.4 Following the issue of these licences a review of the Licensing of Sex Establishments Statement of Licensing Policy took place. A working group was set up and a new policy was approved before Executive Board on the 17th July 2013, coming into effect on the 1st September 2013.
- 2.5 The Policy set out that the appropriate number of sexual entertainment venues in the city centre is a maximum of four, providing these premises are not near properties with sensitive uses or in sensitive locations.
- 2.6 Subsequent to this, four of the seven venues had their licence/renewal applications refused due to their locations.
- 2.7 Three venues continued to operate in Leeds City Centre and their licences were continually renewed on an annual basis. These premises are located at 2 Sovereign Place, 5 York Place and 10 York Place.
- 2.8 In 2017 the premises at 25 Crown Street became the fourth licensed sexual entertainment venue in the city centre.
- 2.9 The premises located at 2 Sovereign Place did apply to renew their sex establishment licence prior to its expiry in February 2021, and as such, there are now three licensed sexual entertainment venues operating in Leeds.
- 2.10 As of November 2023, there are three Sexual Entertainment Venues which remain operational within the Leeds City Centre area.

3.0 History of these Premises

- 3.1 These premises have held a licence under the Licensing Act 2003 for the provision of regulated entertainment and sale of alcohol since 24th November 2005. It is understood that lap dancing has been held at the premises since that time.
- 3.2 Purple Door are one of the two remaining currently licensed premises who have had the benefit a sex establishment licence since the initial approvals in 2012. A copy of the current sex establishment licence can be viewed at **Appendix A** of this report.

4.0 The Application

- 4.1 The application is made by Purple Door Holdings Limited, Unit 40, Friar House, Low Friar Street, Newcastle Upon Tyne, NE1 5UF.

4.2 A copy of the application may be found at **Appendix B** to this report.

4.3 West Yorkshire Police and ward members have been notified of this application.

5.0 Objections

5.1 The application has not attracted any objections.

6.0 Licensing of Sex Establishments Statement of Licensing Policy.

6.1 The current Statement of Licensing Policy for Sex Establishments (“the Policy”) was approved by Executive Board on the 17th July 2013 and came in to force on the 1st September 2013.

6.2 The policy requires all applications in relation to Sexual Entertainment Venues, including applications to transfer, to be determined by the Licensing Sub Committee.

7.0 Other Matters Relevant to the Application

7.1 Members should note that if they are minded to grant the application to transfer the licence, the licence expiry date will remain as existing.

8.0 Options Available to Members

8.1 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.
- 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;

10.0 Recommendation

10.1 Members are asked to consider and determine the application for the transfer of a Sex Establishment Licence for the premises at 5 York Place, Leeds, LS1 2DR.

11.0 Appendices

Appendix A Copy of current licence
Appendix B Application form

12.0 Background Papers

None