

Sex Establishment Licence

Appendix A

Sexual Entertainment Venue

Licence Issued on: **21st June 2022**
Effective from: **1st April 2022**
Licence Expires on: **31st March 2023**

Issued under Part 2, Sch 3 of the Local Government (Miscellaneous Provisions) Act 1982

Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

This licence authorises the following premises:

Whiskey Down, First & Second Floors, 25 Crown Street, Leeds, LS2 7DA

To provide relevant entertainment as defined in Schedule 3, Section 2A of the Local Government (Miscellaneous Provisions) Act 1982 during the following hours:

Friday & Saturday **22:00 - 05:00**
Sunday to Thursday **22:00 - 04:00**

This licence is issued to:

Tokyo Industries Ultimate Limited, C/o Kay Johnson Gee LLP, 2nd Floor, 1 City Road East, Manchester, M15 4PN

The activities authorised by this licence must be carried out in accordance with the conditions attached to it.

Leeds City Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on your application for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

Licence issued under the authority of Leeds City Council:



Mr Matthew Nelson
Principal Licensing Officer
Entertainment Licensing
Elections, Licensing and Registration

Licence produced on 27/06/2022

Sex Establishment Licence

Terms and conditions attached to a licence



These are the terms and conditions that are attached to the following Sexual Entertainment Venue licence.

Licence number:	SX/SEV/00021/22/01
Issued Date:	21st June 2022
Expiry Date:	31st March 2023
Premises:	Whiskey Down, First & Second Floors, 25 Crown Street, Leeds, LS2 7DA

1. In accordance with Home Office guidance, where a condition conflicts with a condition in a Licensing Act premises licence, the more onerous applies.
2. Unless stated otherwise, the licence hereby granted will operate for one year from the date on the licence, after which it will cease to be in effect unless an application for renewal is submitted in the manner prescribed by the council.
3. The licence may be revoked by the council if at any time the holder is convicted of an offence of using the licensed premises, or other premises for which a similar licence has been granted, other than in accordance with the terms, conditions or restrictions of the licence or is convicted of any offence under any enactment defined in paragraph 1 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 as amended.
4. The licensee will provide (subject to the satisfaction of both the police and the licensing authority), a code of practice for dancers and code of conduct for customers, and these must be made available upon request to both the police and authorised officers.
5. Price lists for both drinks and sexual entertainment and the code of conduct for customers will be clearly displayed at each table and at each entrance to the premises.
6. Price lists and the code of conduct for customers must be printed in a manner which is clear and easy to read during the normal operation of the premises.
7. Suitable and sufficient training is to be provided to all staff including the responsible person as described in condition 28. The training of all staff is to be recorded and the training record must be made available upon request to both the police and authorised officers.
8. The name of the premises must be approved by the council in writing. Any change to the name of the premises must be approved by the council in writing.
9. The licence, or a clear copy, will be prominently displayed at all times so as to be readily and easily seen by all persons using the premises, the police, the fire authority and authorised officers of the council. A copy of the conditions attached to the licence will be

kept on the premises and be available for inspection by an authorised officer of the council, or the police or fire authority.

10. The premises will only be open to the public during the following hours:

Sunday to Thursday	22:00 to 04:00
Friday and Saturday	22:00 to 05:00

11. Dancers will only perform on the stage area, or in booths/areas for VIPs as identified on the plan attached to the licence.
12. Relevant entertainment will only be performed by the dancer. There must be no audience participation.
13. There must be no physical contact between dancers.
14. There must be no physical contact between the dancer and the customer at any time.
15. Any performance will be restricted to dancing and the removal of clothes. There will not be any other form of sexual activity or stimulation which, for the avoidance of doubt, includes kissing.
16. Sex toys must not be used and penetration of the genital area by any means must not take place.
17. Customers will not be permitted to throw money at the dancers.
18. There will be a notice displayed inside each entrance or doorway to the premises, clearly visible on entering the premises, which states the following:

No Admittance to Persons Under 18 Years of Age

This premises operates a Challenge 25 policy.

Persons who appear to be under the age of 25 will be required to show proof of age.

19. The external appearance of the premises must be approved by the council in writing.
20. Any change to the external appearance must be approved by the council. The operator must advise of any change in writing including a drawing of the existing and proposed street elevation. This must be approved by the council before work is undertaken.
21. Access to the licensed area of the premises should be through a lobby area which is constructed in such a way that the inside of the licensed premises where relevant entertainment takes place is not visible to passing members of the public when the doors of the premises are opened.
22. Signage will only be illuminated between 10pm and 6am, and movable signs placed outside the premises will be removed between 6am and 10pm.
23. Any unsolicited written, visual or auditory advertisement material, posters, signage or window display must not be of a sexually explicit or suggestive nature, will not contain

images or text of a sexually explicit, obscene or offensive nature and must be approved by the council in writing.

24. Staff employed or subcontracted by the premises will not verbally or otherwise promote, tout or advertise the premises, except by way of flyers. Staff employed or subcontracted by the premises will not direct potential customers to transport connected with the premises.
25. Leafleting/distribution of flyers will only be permitted in such a way where it does not cause public offence. This is regulated by the paid permit system authorising distribution of free printed material issued by Leeds City Council. The licensee will remove any leaflets from the Highways within a 100 metre radius of the premises by 6am. The licensee will have a flyer distribution policy to be approved by the Council.
26. When the licence holder employs a subcontractor, no person under the age of 18 years of age shall carry out work for or on behalf of the venue, whether paid or unpaid, which includes advertising promotional work such as flyering, etc.
27. The licence holder will carry out age verification checks of all staff employed or subcontracted by the premises and will maintain a recorded log which is kept up to date of all checks made including the forms of identification checked. The record log shall be produced immediately on request to a police constable or officer of the Licensing Authority.
28. No access will be permitted through the premises to any other adjoining or adjacent premises except in the case of an emergency.
29. No alterations (including temporary alterations) will be made to the structure and installations on the premises, without the prior written consent of the council. This condition will not require notice to be given in respect of routine maintenance works. Where there is any doubt the licensee should seek advice from the council.
30. The licensee, or a responsible person nominated by him/her in writing for the purpose of managing the venue (the manager) will have personal responsibility for and be present on the premises whilst relevant entertainment is being performed. Any such nomination will be produced on demand to an authorised officer of the council or the police.
31. The licensee will ensure that any person nominated by him/her under the above:
 - a) has been provided with a copy of the conditions relating to the premises and is fully conversant with them; and
 - b) is in possession of a written nomination referred to above at all times when they are in charge of and present on the premises.
32. Where the licensee is a body corporate, or an incorporated body, any change of director, company secretary or other person responsible for the management of the body will be notified in writing to the council within 14 days of such a change. Such details as the council may require in respect of the change of personnel will be furnished within 14 days of a request in writing from the council.

33. Where the licensee, director, company secretary, or responsible person nominated for the purpose of managing the venue (the manager), is convicted of an offence, they must, as soon as practicable after the conviction, inform the council of the conviction giving details of the nature and date of the conviction, and any sentence imposed.
34. The licensee will retain control over all parts of the premises and will not let, licence or part with possession of any part of the premises. The council must be notified immediately in the event that any part of the premises is affected by the termination of a lease or other event affecting the licensee's control of the premises.
35. The licensee will ensure that the public is not admitted to any part or parts of the premises that has not been approved by the council.
36. No persons under the age of 18 will be admitted to the premises.
37. The licensee will operate a Challenge 25 age verification policy. People who appear to be under the age of 25 will be required to show proof of ID prior to admittance. A notice to this effect, in accordance with condition 18 will be displayed on the premises.
38. The licence holder will not employ any person under the age of 18 in any capacity.
39. A suitable Closed-Circuit Television (CCTV) system will be operational at the premises at all times when licensable activities are being carried out and at any other times where members of the public are present on the premises. The CCTV system will cover all areas of the premises occupied by the public under the terms of the licence, including corridors and stairways (excluding within WCs and changing rooms). The CCTV system will cover the main entrances and exits and designated emergency egress routes from the premises. The CCTV system will cover all external areas of the premises occupied by the public, i.e. queuing areas, beer gardens, smoking areas and car parks. The location of CCTV cameras are identified on the site plan of the premises. No amendments to the locations of the cameras will be made without prior consultation with West Yorkshire Police/British Transport Police and the Licensing Authority.
40. The CCTV system will be of a satisfactory resolution quality which will enable the identification of persons and activities, and other fine details such as vehicle registration number plates. The CCTV system will contain the correct time and date stamp information. The CCTV system will have sufficient storage retention capacity for a minimum of 31 days' continuous footage which will be of good quality. The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing. A record will be kept of who has accessed the system, the reason why and when.
41. The data controller, under the Data Protection Act 1998, who is responsible for any CCTV images captured on cameras on the premises will, on the lawful request of an authorised officer or an officer of West Yorkshire Police/British Transport Police, cause any required footage to be downloaded immediately, or where this is not possible, as soon as reasonably practicable, and supplied to the requesting officer. Where the CCTV images are not supplied at the time of the request being made the data controller will ensure that they are secured to prevent any overwriting.

42. The CCTV system will be adequately maintained and be capable of transporting recorded material onto a removable media. The CCTV system replay software must allow an authorised officer or an officer of West Yorkshire Police/British Transport Police to search the picture footage effectively and see all the information contained in the picture footage for the purpose of detecting, investigating and preventing crime. It must be possible to replay exported files immediately e.g. no re-indexing of files or verification checks.
43. A minimum of two Security Industry Authority registered door staff (numbers to be subject to police and licensing authority approval) will be present on the premises during the performance of relevant entertainment.
44. Dancers will be aged 18 years or over.
45. Before a dancer is permitted to work on the premises the licensee will ensure that the dancer:
 - a) has not been convicted of theft, drug offences or prostitution
 - b) has the right to work in the UK

The licensee will keep records of the checks, including copies of any documentation such as a basic disclosure, passport, visa, driving licence or national insurance number provided by the dancer.

46. All premises that provide relevant entertainment will be expected to provide new dancers with a pack of information. This pack will include:
 - a) A copy of the Sex Establishment Licence, including the conditions applied by the Licensing Committee.
 - b) Details of any other conditions applied by management of the premises
 - c) Details of how to report crime to the relevant authority
 - d) Details of the premises public liability insurance
 - e) Information on how dancers can obtain personal liability insurance
 - f) Details of unions, trade organisations or other bodies that represent the interests of dancers
 - g) A copy of the code of conduct for dancers
 - h) A copy of the code of conduct for customers
 - i) Price lists for drinks and sexual entertainment
47. The information provided in the pack will be provided in the dressing rooms or a sign will be placed in the dressing room advising the pack is available on request.
48. All booths and VIP areas used for private dances must be visible to supervision and must not have closing doors, curtains or coverings of any description.
49. All booths and VIP areas used for private dances must be directly supervised by either a SIA registered door supervisor, or a member of staff who has direct contact with SIA registered door supervisors working on the premises at all times the booths/areas are in use. Direct supervision does not include remote supervision by CCTV.

50. Dancers will only be present in the licensed area in a state of nudity when they are performing on stage or providing a private dance.
51. Any person on the premises who can be observed from outside the premises will be properly and decently dressed.
52. A smoking area for staff must be provided which is separate from the area where customers smoke. Customers and staff must not be allowed to interact while using these smoking areas.
53. Dancers must be covered up at all times with knee length robes whilst using the smoking areas.
54. The licensee will ensure dancers have secure dressing rooms, facilities to secure valuables and proper sanitation facilities available to them.
55. The practice of fining is prohibited.
56. Panic alarms are to be fitted to all booths and VIP performance areas and will be operational at all times.
57. Vehicles must not be used for personal solicitation, touting or advertising. Only licensed hackney carriage and private hire vehicles can be used to transport customers to and from the premises. Limousines, Hummers, mini buses, rickshaws, bicycles and novelty vehicles will not be used to transport customers to and from the premises.
58. The council may, at the time of grant or renewal of the licence, waive, modify or vary these conditions or impose additional conditions as appropriate.
59. The licensee may apply to the council to vary any of the terms of the licence.
60. Applications to vary conditions of the licence must be advertised by the licensee in the same manner as the application for the grant, renewal or transfer of the licence.
61. The premises will not trade in breach of planning controls.