

Licensing Sub-Committee

Tuesday, 3rd December, 2024

PRESENT: Councillor N Buckley in the Chair

Councillors T Hinchcliffe and D Seary

1 Election of the Chair

RESOLVED – That Councillor N Buckley be elected as Chair for the duration of the meeting.

2 Appeals Against Refusal of Inspection of Documents

There were no appeals.

3 Exempt Information - Possible Exclusion of the Press and Public

There was no exempt information.

4 Late Items

There were no late items. Supplementary information was submitted with regard to Agenda Item 7, Application for the Renewal of a Sex Establishment Licence for Purple Door, 5 York Place, Leeds, LS1 2DR.

5 Declaration of Interests

There were no declarations.

6 Application for the Renewal of a Sex Establishment Licence for Liberte, 10 York Place, Leeds, LS1 2DS

The report of the Chief Officer, Elections and Regulatory presented an application for the renewal of a Sex Establishment Licence for Liberte, 10 York Place, Leeds. LS1 2DS.

The following were in attendance:

Luke Elford, John Gaunts & Partners – Applicant's Representative
Bianca Haruta, Director of TRL Promotions Ltd – Applicant

The Legal Officer explained the procedure and the Licensing Officer presented the application.

The application was for the renewal of a Sex Establishment Licence for the provision of sexual entertainment on the form of lap dancing.

The applicant's representative addressed the Sub-Committee. The following was highlighted:

- The applicant had a long and successful history of operating the premises.
- There had not been any objections to the application.
- There had not been any changes in terms of operating the business.

- There had not been any matters of concern raised by the responsible authorities. The applicant operated with robust policies and procedures and was fully compliant with conditions to the licence. There had not been any concerns with regards to crime and disorder.
- Welfare was at the forefront of how the business was operated to ensure performers felt happy and safe and the applicant followed advice from the Council regarding performers security. Reference was made to the QR code available which directed performers to various services including Trade Unions and women's safety.

The Sub-Committee went into private session to make their deliberations and carefully considered the report of the Chief Officer, Elections and Regulatory, the submissions made in writing and at the hearing, and also the Statement of Licensing Policy.

RESOLVED – That the application for renewal be granted as applied for.

7 Application for the Renewal of a Sex Establishment Licence for Purple Door, 5 York Place, Leeds, LS1 2DR

The report of the Chief Officer presented an application for the renewal of a Sex Entertainment Licence at Purple Door, 5 York Place, Leeds, LS1 2DR.

The following were in attendance:

Paddy Whur, Woods Whur – Applicant's Representative
 Nicholas Quadrini, Director of Purple Door Holdings Limited and Premises Manager – Applicant
 Carl Copeland, Premises Manager – on behalf of the Applicant

The Legal Officer explained the procedure and the Licensing Officer presented the application.

The application was for the renewal of a Sex Establishment Licence for the provision of sexual entertainment on the form of lap dancing. There had been two objections to the application from members of the public.

The applicant's representative addressed the Sub-Committee. The following was highlighted:

- The premises had operated in the same location since 1998 and had never closed except during the pandemic.
- The premises was one of the permitted venues for licences of this nature in Leeds.
- The applicant's representative previously had an office at the location of one of the objectors.
- The premises were family run and had traded responsibly without any representations from the police or other responsible authorities.

- There had not been any changes in the style of operation at the premises and codes of conduct for staff remained the same.
- There was one modest change proposed to the exterior of the premises.
- There had been discussions with the objectors. The applicant was upset that there had been objections and had focussed efforts on ensuring that there would be no impact on properties that had now been repurposed for residential use. The proposal to put a banner at the frontage of the premises was to provide a buffer to an area used by staff. It was suspected that residents from a nearby hotel which was housing asylum seekers may have been the cause of the complaints.
- The QR code which linked to services available for staff was promoted.
- It was felt that there weren't any grounds for refusal. There had not been any changes to the character of layout of the property and there had always been a good track record in the operation of the premises.
- The premises opposite had been changed from office to residential use and the occupants would already know what kind of premises operated on the street. One of the apartments was used as an Air BnB.

In response to questions from the Sub-Committee, the following was discussed:

- The applicant had been surprised at the objections and had since held conversations with the complainant. It was felt complaints may have been due to one of the complainants car being nudged by another. One of the complainants was now happy with the position.
- With regards to complaints about noise from a Door Supervisor, the Sub-Committee was informed that the person in question had been moved as he wasn't working to the standards expected.
- The installation of a banner on the railings would screen the staircase down to basement level where staff congregated. This would lessen the possibility of any disturbances.

The Sub-Committee went into private session to make their deliberations and carefully considered the report of the Chief Officer, Elections and Regulatory, the submissions made in writing and at the hearing, and also the Statement of Licensing Policy.

RESOLVED – That the application for renewal and alteration to the exterior of the premises be granted as applied for.

8 Application for the Grant of a Premises Licence for Takeaway at 183 Meanwood Road, Meanwood, Leeds, LS7 1NB

The report of the Chief Officer Elections and Regulatory presented an application for the grant of a Premises Licence for Takeaway at 183 Meanwood Road, Meanwood Leeds, LS7 1NB.

The following were in attendance for this item:

George Domleo, Flint Bishop LLP – Applicant's Representative
 Mahboob Hussain – Applicant
 Vanessa Holroyd – Environmental Protection Team

Draft minutes to be approved at the meeting
 to be held on Thursday, 12th December, 2024

The Legal Officer explained the procedure and the Licensing Officer presented the application.

The application was for the provision of late night refreshment every day from 23:00 to 05:00.

The application had received representations from West Yorkshire Police and Environmental Protection. Agreement had been reached with West Yorkshire Police to incorporate a number of measures and their representation had been withdrawn. Environmental Protection had suggested additional measures and a reduction to the hours applied for. This representation remained outstanding.

The applicant's representative addressed the Sub-Committee. The following was highlighted:

- The applicant was an experienced operator and had two other late night premises in the area.
- The premises had previously been used as a hot food takeaway without a late night refreshment licence. The applicant would be willing to accept a condition that the premises be delivery/collection only.
- The applicant had taken steps to meet the licensing objectives included those proposed by West Yorkshire Police and most of those proposed by Environmental Protection.
- The premises would only have a very minimal impact on residential amenity.
- The application was solely for late night refreshment and conditions had been agreed to meet the licensing objectives. Measures taken included CCTV, regular servicing of machinery to prevent noise and installation of silencers to the extraction system and monitoring of delivery drivers.
- The measures taken would mitigate concerns regarding noise nuisance concerns and the Environmental Protection concerns were speculative. There had not been any objections made by local residents.
- There were other premises in the area that operated until 5.00 a.m.
- With regard to concern regarding emission of odours, it was reported that this would be prevented by the regular servicing of equipment. There had not been any complaints from local residents regarding this.
- Should there be any problems if a licence is granted then the licence could be reviewed or enforcement action taken.
- There would be no public access as it was proposed to be delivery only.

In response to questions from the Sub-Committee, the following was discussed:

- Third party delivery drivers would be used. They would have contractual obligations to work in accordance with the conditions of the licence. Any issues would be investigated by the applicant with the third party company.
- There was one flat directly above the premises and two more to the side.
- Customers were likely to be local people and those using at the later hours towards closing were likely to be people coming home or going out to work.
- It was estimated that there would be ten deliveries per hour.
- Some of the deliveries would be made by bicycle.

The Environmental Protection representative addressed the Sub-Committee. The following was highlighted:

- The premises were located in a a parade of shops with flats above and there was restricted access to parking.
- The ground floor premises were used for cooking and would require a powerful extraction system which would transmit through the structure of the building.
- There had recently been complaints from the business next door.
- This application included a change of use and the existing extraction system was likely to be unfit.
- The applicant had not provided any details of how they would soundproof the premises.
- There were concerns with regard to the proposed closing time of 5.00 a.m. as there would be noise from delivery drivers.
- There had been agreement with regard to some conditions but these were based on the premises closing at midnight.
- Current planning arrangements only permitted the premises to be open until 11.30 p.m. Monday to Saturday and 10.30 p.m. on Sunday.
- It was likely that complaints would be made due to odour. The extraction flue terminated close to flat numbers 185 and 197.
- The previous owner lived above the premises and closed at 10.30 p.m.
- It was felt that granting of this application would lead to complaints due to noise, vibration and odour. Legal notices had to be served at a similar premises.
- The Sub-Committee was asked to consider the representations of Environmental Protection to prevent any nuisance to residents.

In response to questions, the following was discussed:

- Installation of a new flue and extraction system would still lead to noise pollution.
- The applicant would be willing to reduce hours of operation till 4.00 a.m.
- The lack of objections from the occupants of the flat was not unusual. It wasn't until premises started operating that problems occurred.
- Environmental Protection did not feel that a 4.00 a.m. closing time would be sufficient to avoid problems.
- The premises were currently vacant and had been closed since 2018.

In conclusion the applicant's representative reminded the Sub-Committee that the premises had previously operated as a takeaway. The applicant was an experienced operator and had not encountered any problems at similar premises. Planning permission had been applied for and the applicant had a 10 year lease on the premises. Measures had been agreed with West Yorkshire Police and Environmental Protection, reputable third party companies would be used for delivery and there was nothing to suggest that the licensing objectives would be undermined.

The Sub-Committee went into private session to make their deliberations and carefully considered the report of the Chief Officer, Elections and Regulatory, the submissions made in writing and at the hearing, and also the Statement of Licensing Policy.

RESOLVED – That the application be granted subject to a reduced terminal hour of 00:00 every day and to include conditions as proposed by West Yorkshire Police and the Environmental Protection Team. The premises to operate on a delivery only basis.