SE1

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

Application For A Sex Establishment Licence

Local Government (Miscellaneous Provisions) Act 1982 As Amended

Please read the following instructions

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

All questions must be answered, save where otherwise stated. If relevant questions are not answered, the application will be deemed incomplete and returned to the applicant.

Any person who, in connection with an application for a grant of a sex establishment licence makes a false statement which he knows to be false in any material respect of which he does not believe to be true is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000.

Section 1 - APPLICATION DETAILS

1. Is the application for a:

☒ Sexual Entertainment Venue ☐ Sex Shop ☐ Sex Cinema

☐ Grant ☒ Renewal ☐ Variation

If the application is for a variation, please state the nature of the variation:

Section 2 - APPLICANT DETAILS

2. Is the applicant:

☐ An individual (please answer questions 3 and 4)

☒ A company or other corporate body (please answer questions 5 to 9)

☐ A partnership or other unincorporated body (please answer questions 10 to 12)

Individual Application

3. Full name of applicant (individual):

Former or previous names:

Home address:

Post town: Post code:

Telephone numbers:

Date of birth:

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4. Are there any other persons responsible for the management of the premises/business other than those stated in question 3? Please state their names and addresses:

N/A

Company or other corporate body

5. Name of applicant (company name): Tokyo Industries Ultimate Limited

Address of registered or principal office:
c/o Kay Johnson Gee LLP
2nd Floor, 1 City Road East

Post town: Manchester Post code: M15 4PN

Registration number: 08171028

6. Name and address of the applicant's directors and company secretary (please use additional sheet):

[redacted]

7. Are there any other persons responsible for the management of the premises/business other than those stated in question 5 and 6? Please state their names and addresses:

[redacted]

8. State the names of all persons with a shareholding greater than 10% in the business.

[redacted]

9. Is the business a wholly owned subsidiary or another company or corporate body? If so state the name, place of registration and identity of its directors and company secretary.

No

Partnership or other unincorporated body

10. Name and address of applicant:

N/A

11. Names and addresses of applicant's partners (please use additional sheet):

N/A

12. Are there any other persons responsible for the management of the premises/business other than the partners? Please state their names and addresses:

N/A

All applicants

13. [redacted]

[redacted]

14. Applicants' trading address or head office (other than the premises)

[redacted]

15. Will the business for which this licence is sought be carried on for the benefit of a person other than the applicant? Yes ☐ No ☒

If the answer is yes, state the name, address, place of registration, registered number and the identity of all directors, company secretary and those with a greater than 10% shareholding.

16. Does the applicant operate any other sex establishments, licensed or otherwise? Please state name, address, and type of sex establishment of each.

Black Orchid, 5 Toft Green, York, YO1 6JT - Sexual Entertainment Venue Licence

Section 3 - PREMISES DETAILS

17. Please state the name the business will be known as: Whiskey Down

18. Is the premises a ☒ Premises ☐ Vehicle ☐ Vessel ☐ Stall

19. Where is it proposed to use the vehicle, vessel or stall? N/A

20. In the case of a sex shop, does the company propose to only operate on the internet? (if yes answer questions 20 to 28 only) N/A Yes ☐ No ☐

21. Premises address
1st and 2nd Floors
25 Crown Street (with entrance on Assembly Street)

Post town Leeds Post code LS2 7DA

Telephone number at premises

22. Which part of the premises is to be used as a sex establishment?

1st and 2nd Floors

23. Is the applicant ☐ owner ☒ lessee ☐ sub-lessee ☐ other

24. If the applicant rents the property state:

a. Name and address of landlord

[redacted]

b. Name and address of the superior landlord: N/A

c. Total annual rental: [redacted]

d. Length of unexpired term: [redacted]

e. Notice required to terminate tenancy: N/A

25. Please provide details of the building management company (if appropriate):

N/A

26. State the current use of the premises: Sexual Entertainment Venue

27. Has planning permission, or a certificate of lawful use, been obtained for the use of the proposed premises? Yes ☒ No ☐

28. Can members of the public access the premises:

a. Directly from the street? Yes ☒ No ☐

b. From other premises? Yes ☐ No ☐

c. Not at all? (internet sales only) Yes ☐ No ☐

29. a. Numbers of door supervisors: 2 doorstaff Sunday to Saturday

b. Hours door supervision in place: From opening of the premises to close.

30. Are the premises currently being used as a sex establishment? Yes ☒ No ☐

Please provide details of the business currently operating the business:

Whiskey Down- Sexual Entertainment Venue. This is an SEV renewal application for the current operating business.

31. Are the premises licensed under any other Act such as the Licensing Act 2003? Yes ☒ No ☐
Please state the name of the designated premises supervisor.

[redacted]

Section 4 - OPERATING SCHEDULE

32. Opening hours: (If internet sales only please tick here ☐ and continue to Q39)

Monday 22.00 to 04.00 the following day

Tuesday 22.00 to 04.00 the following day

Wednesday 22.00 to 04.00 following day

Thursday 22.00 to 04.00 the following day

Friday 22.00 to 05.00 the following day

Saturday 22.00 to 05.00 the following day

Sunday 22.00 to 04.00 the following day

33. Has the applicant entered into any written or oral agreement in connection with the business, for example a management agreement, partnership agreement or profit share arrangement? Please provide details Yes ☐ No ☒

a. Please provide details of any lender, mortgage or others providing finance:

b. Please provide details of any merchandising agreements:

None

Premises management

34. Please state the name of the person who will be in day to day control of the premises (the manager).

..[redacted].....

a. Will the manager be based at the premises Yes ☒ No ☐

b. Will the management of the premises be the manager's sole occupation Yes ☒ No ☐

35. Who will be in control of the premises in the manager's absence (relief manager)?

..[redacted].....

a. Will the relief manager be based at the premises in the absence of the manager? Yes ☒ No ☐

If you have ticked 'no' to any of the above, please provide details

(Please complete an SE5 form for each person mentioned in this section)

External appearance and advertising

36. Please describe the proposed exterior signage and advertising. Please include nature, content and size of each sign and any images to be used:

Plain black glass sign during the day. At night a backlit Neon sign saying "Whiskey Down" when the premises are open.

No visibility during the day.

Please note that a drawing/photo of the front elevation is required to be submitted with this application

37. Please describe how the interior of the premises is obscured to passers by:

The premises will operate on the 1st and 2nd Floors and cannot be seen by passers by.

All windows will be covered to ensure no one can see in.

38. Please describe any proposed window displays: No window displays

39. Please describe how the business is to be advertised, i.e. business cards, billboard advertising, personal solicitation, advertising on motor vehicles, radio or television advertising:

Social media, business cards, flyers and posters in compliance with the SEV Policy as to content.

Policies and Operating Schedule

40. Please provide details of the age verification policy:

No one under the age of 18 will permitted entry. Photographic identification will be requested for everyone who does not appear to be over 25 years of age.

41. Please provide details of the CCTV arrangements:

The location of the CCTV cameras are detailed on the plan provided with this renewal application. All areas are covered by CCTV and will be monitored at all times.

A suitable Closed-Circuit Television (CCTV) system (this being a 32 Camera digital 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 and smoking areas. 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.

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.

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.

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.

42. State measures to be taken to prevent nuisance to residents and businesses in the vicinity:

The premises are situated in the heart of the entertainment area of Leeds. They are on the 1st and 2nd Floors and have their own discreet entrance. In addition the following is offered:

The Licensee shall ensure that no nuisance is caused by noise or vibration emanating from the licensed premises resulting from the use of this Licence. The Licensee shall provide urgent attention to any reports of noise nuisance, and act upon direction of the Licensing Authority.

Notices will be placed at all exits to the premises reminding customers to leave the premises quietly.

Ensure that business waste is stored inside closed containers awaiting collection, that litter arising from people using the premises is cleared away regularly, that promotional materials such as flyers do not create litter and the other street advertising is carried out lawfully.

Ensure that the premises are operated so as to prevent the emission of odours which are a nuisance at nearby premises or to persons in the immediate area.

Ensure that lighting provided for the purpose of customer and staff safety, for the security of the premises, and lighting associated with activities of entertainment and advertising is of

such intensity, suitably positioned and operated so as not to cause nuisance to neighbouring or adjoining properties.

Queues shall be restricted to cordoned areas to prevent them obstructing footpaths and spilling out onto roads, and keep noise and obstructions away from residential property. Staff shall be trained to intercept and manage any incidents, sufficient staff shall be trained to intercept and manage any incidents and sufficient staff shall be employed to properly manage queues to prevent noise and aggression.

No bottles shall be placed in an external receptacle after 23:00 hours to minimise noise disturbance to adjoining properties.

Ensure that all licensable activities are conducted and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties.

43. State measures to be taken to promote public safety:

Regular safety checks of the premises, including decorative and functional fixtures, floor surfaces and equipment (including electrical appliances) to which the public may come into contact, must be undertaken. Records of these safety checks must be kept and made available for inspection by an authorised officer.

Empty bottles and glasses will be collected regularly paying particular attention to balcony areas and raised levels.

If used, any temporary electrical wiring and distributions will be inspected by a suitably qualified and competent person before they are put into use. An inspection record/certificate will be retained for inspection by an authorised officer.

Regular safety checks of guardings to stairs, balconies, landings and ramps will be undertaken, and a supervision policy will be maintained to prevent people from inappropriate behaviour, including climbing which may lead to a fall from height.

Safety glass that is impact resistant, kept in good condition and free of obstructions to prevent slips, trips and falls.

All floor surfaces will be suitably slip resistant, kept in good condition and free of obstructions to prevent slips, trips and falls.

Where strobes, lasers, smoke machines or any other special effects equipment may be used, a written health and safety policy covering all aspects of their use will be provided, and staff will appropriately trained. Children shall not be permitted in areas of the premises that would enable them to view tableside dancing or entertainment of a like nature being performed.

44. State measures to be taken to prevent crime and disorder:

Adopt the Challenge 25 proof of age scheme (as above).

Participate in a local Pub Watch scheme or licensing association, (where on exists) that is recognised by West Yorkshire Police.

Implement a dispersal policy that is agreed with West Yorkshire Police.

Any persons who appears to be under the influence of alcohol or drugs will not be admitted to the premises.

The Licensee holder will provide a suitable receptacle in accordance with the Police guidance for the sole retention of illegal substances and inform the Police to arrange appropriate disposal.

The Licence holder will record full details of the circumstances surrounding any seizure of drugs or articles taken as a consequence of an offence or other incident. Items will be retained where they may be required as evidence and the Police informed as of their existence.

The Licence holder or nominated person will discourage offences outside venues in particular the use of and distribution of illegal substances and persons engaged in soliciting for the purpose of prostitution. The police will be informed at the earliest opportunity.

The Licence holder or nominated person will discourage criminal conduct in particular the use of illegal substances, by displaying notices in and at the entrance to the licensed premises.

The Licensee will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti social behaviour, and ejections from the premises.

The Incident Report Register will contain consecutively numbered pages, the date, time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff involved or to whom the incident was reported, the names and personal licence numbers (if any) of any other staff involved or to whom the incident was reported, the names and numbers of any police officers attending, names and addresses of any witness and confirmation of whether there is CCTV footage of the incident.

The Incident Report Register will be produced for inspection immediately on the request of an authorised officer.

A policy for searching patrons at the entrance to premises will be adopted.

45. State measures to be taken to protect children from harm:

Age verification will be sought from all dancers

Persons under the age of 18 years will not be admitted into the premises

The premises operates a strict Challenge 25 Policy

The entertainment will not be visible to persons under 18 years who may be outside the premises

The Flyering Policy will be adhered to.

46. State measures to ensure employees age and right to work in the UK:

Prior to working all members of staff must complete a Dancer's Personal Details Form that is kept by the operator. The completion of this document and the identification documents used to verify who the dancer is, will confirm that the dancer is of the correct age and has the right to work in the UK.

47. Describe training and welfare policies:

Please see enclosed, all staff are trained on all policies at the start of employment and then on a quarterly basis each year.

Applications for Sexual Entertainment Venues Only

48. Is the proposal for full nudity? Yes ☒ No ☐

49. Describe the nature of the entertainment, e.g. lap-dancing, pole dancing, stage strip-tease:

Lap dancing, pole dancing and stage strip-tease

50. Please enclose a copy of the code of practice performers must abide by (or equivalent document), and describe how performers will be monitored to ensure compliance:

All areas will be covered by CCTV which will be monitored at all times. Spot checks will be carried out by managers and floor walkers and independent mystery shoppers.

51. Please enclose a copy of the code of conduct customers must abide by (or equivalent document), and describe how customers will be monitored to ensure compliance:

All areas will be covered by CCTV which will be monitored at all times. Spot checks will be carried out by managers and floor walkers and independent mystery shoppers.

52. Please enclose a copy of the welfare policy for performers (or equivalent document) and describe how this will be distributed.

Will be handed to performers as part of the mandatory induction process. The policy will also be displayed in the performers changing rooms.

53. Does the business intend to provide vehicles to transport customers or performers to and from the premises? Yes ☐ No ☒

Please enclose copies of the relevant licences issued by Taxi and Private Hire Licensing.

Further information

54. Please set out any further information you wish the authority to take into account.

55. Is there any information on this form you do not wish to be seen by members of the public? If so state which information and the reasons why you do not wish it to be seen.

Section 5 - CHECKLIST & ENCLOSURES

Enclosures

I have made or enclosed payment of the fee ☒

I have enclosed three sets of plans of the premises ☒

I have enclosed a drawing of the street elevation of the premises ☒

I have enclosed a completed form SE5 for each person named in questions 3 to 11 ☒

I have enclosed a completed form SE5 for the Manager and Relief Manager ☒

I have enclosed a copy of the company's staff welfare policy ☒

I have enclosed a copy of the code of practice for dancers (if appropriate) ☒

I have enclosed a copy of the code of conduct for customers (if appropriate) ☒

I have enclosed a copy of the Dancers Information Pack (if appropriate)	☒
I have enclosed a copy of the licences for vehicles used in connection with the business (if appropriate).	☐

Advertisement

I declare that I have served a copy of this application on West Yorkshire Police.	☒
I declare that a public notice advertising this application has today been displayed upon the proposed premises where it may be conveniently read by the public and will remain thereon for a period of 21 days. A copy of the notice (SE6) and the standard declaration (SE7) is enclosed.	☒
I declare that within seven days of the date of this application a public notice advertising this application will be publicised in the legal notices column of the local press.	☒
A copy of the relevant press edition will be forwarded to Entertainment Licensing	☒
I understand that if I do not comply with the above requirements my application will be rejected	☒

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.

Any person who, in connection with an application for a grant, renewal, variation or transfer of a sex establishment licence, makes a false statement which he knows to be false in any material respect of which he does not believe to be true is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000

Section 6 - SIGNATURES

Signature of applicant or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant please state in what capacity.

Signature [redacted]

Date 10 March 2020

Capacity applicant

Contact Name (where not previously given) and address for correspondence associated with this application

Post town Post code

Telephone number (if any) [redacted]

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

[redacted]

Guidance Notes

1. Please return this completed application form to:

   Entertainment Licensing
   Civic Hall
   LEEDS
   LS1 1UR

2. Please make cheques and postal orders payable to Leeds City Council.

3. The fees can be found in a separate guidance note.

4. The applicant is responsible for serving a copy of this application on the **Licensing Officer, West Yorkshire Police, Leeds District Headquarters, Elland Road , Leeds , LS11 8BU**

5. The licensing authority may forward copies of this application to the West Yorkshire Fire and Rescue Service who will assess the application and inspect the premises, if necessary, to provide observations in relation to the structure, safety and suitability of the building for the purpose intended.

6. Furthermore, details of this application will be forwarded to the local Ward Members.

7. Requirements for layout plan

   The plan must show:
   1. The layout of the premises including, e.g. stage, bars, cloakroom, WCs, performance area, dressing rooms.
   2. The extent of the boundary of the premises outlined in red
   3. The extent of the public areas outlined in blue
   4. Uses of different areas in the premises, e.g. performance areas, reception, staff facilities.
   5. Structures or objects (including furniture) which may impact on the ability of individuals to use exits or escape routed without impediment.
   6. Location of points of access to and egress from the premises.
   7. Any parts used in common with other premises.
   8. Position of CCTV cameras
   9. Where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor.
   10. The location of any steps, stairs, elevators or lifts.
   11. The location of any public conveniences, including disabled WCs.
   12. The location and type of any fire safety and other safety equipment.
   13. The location of the kitchen (if applicable).
   14. The location of emergency exits.

For further assistance or information please contact Entertainment Licensing on 0113 378 5029