



Leicester
City Council

Minutes of the Meeting of the
LICENSING ENFORCEMENT SUB-COMMITTEE

Held: FRIDAY, 2 JULY 2021 at 10:00 am

P R E S E N T:

Councillor Pickering (Chair)

Councillor Cank

Councillor Shelton

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9. APPOINTMENT OF CHAIR

Councillor Pickering was appointed as Chair for the meeting.

10. APOLOGIES FOR ABSENCE

There were no apologies for absence.

11. DECLARATIONS OF INTEREST

There were no declarations of interest made.

**12. APPLICATION TO RENEW A SEXUAL ENTERTAINMENT VENUE
LICENCE: PLATINUM LACE, 1 ABBEY STREET, LEICESTER**

The Director of Neighbourhood and Environmental Services submitted a report that required Members to determine an application to renew a sexual entertainment venue (SEV) licence under the Local Government (Miscellaneous Provisions) Act 1982, as amended by the Policing and Crime Act 2009, for Platinum Lace, 1 Abbey Street, Leicester, LE1 3TE.

Mr Darren Wyse (General Manager and DPS), Mr Matthew Phipps (Solicitor) were present. Ms Helen Everett who had made representation was present. The Licensing Team Manager (Policy and Applications) and Legal Representative to the Sub-Committee were also present.

Introductions were made and the procedure for the meeting outlined.

The Licensing Team Manager (Policy and Applications) outlined the details of the application. Ms Everett interrupted to say that the first sentence in her

representation had not been included in the main body of the report. The Legal Adviser to the Sub-Committee advised Ms Everett that there would be an opportunity to ask questions following delivery of the report by the Licensing Team Manager. The Licensing Team Manager (Policy and Applications) continued to present the report.

Ms Everett was given the opportunity to present her case for objecting to the application and answered questions from Members.

Mr Phipps on behalf of the applicant was then given the opportunity to respond to the representation and answered questions from Ms Everett.

As a point of clarity, the Licensing Team Manager (Policy and Applications) explained that during the application process, all legal requirements had been met by the applicant and by the Licensing Authority, and that there was not legal requirement to publish the application on the Council's website.

All parties were given the opportunity to sum up their positions and make any final comments.

The Sub-Committee received legal advice from the Legal Adviser to the Sub-Committee in the presence of all those present.

In reaching their decision, Members felt they should deliberate in private on the basis that this was in the public interest, and as such outweighed the public interest of their deliberation taking place with the parties represented present.

The Chair announced that the decision and reasons made during private deliberation would be publicly announced in writing within five working days. The Chair informed the meeting the Legal Adviser to the Sub-Committee would be called back to give advice on the wording of the decision.

The Chair then asked all but Members of the Sub-Committee and Democratic Support Officers to leave the meeting. The Sub-Committee then deliberated in private to consider their decision

The Sub-Committee recalled the Legal Adviser to the Sub-Committee to give advice on the wording of the decision.

RESOLVED:

That the application for the renewal of a sexual entertainment venue licence for Platinum Lace, 1 Abbey Street, Leicester, LE1 3TE be GRANTED.

Members of the Sub-Committee had been asked to determine an application submitted in accordance with the Local Government (Miscellaneous Provisions) Act 1982 for the renewal of a Sexual Entertainment Venue Licence in relation to premises known as Platinum Lace.

In reaching their decision the Sub-Committee Members carefully considered

the Committee report presented by the Licensing Team Manager (Policy and Applications), the representations presented by all parties and the legal advice provided.

The Sub-Committee Members had considered the application on its own merits and in accordance with the Council's Policy on Licensing of Sexual Entertainment Venues and had given due regard to the Councils' Public Sector Equality Duty in accordance with the Equality Act 2010.

The Sub-Committee had considered carefully the representations from the member of the public and those made by the applicant.

Members had not taken anything presented to them at face value and confirmed they had scrutinised the information put before them by all parties.

The Sub-Committee had considered all the decisions available to them. As a result of what they had heard, Members were satisfied that it was justifiable and proportionate to RENEW THE LICENCE SUBJECT TO ADDITIONAL CONDITIONS.

REASON FOR THE DECISION

Members considered that none of the mandatory or discretionary grounds upon which the application could be refused had been met. The Sub-Committee had been informed that there had been no complaints regarding the premises and were confident based on the information before them that the premises would be managed in an appropriate and professional manner.

Members were of the opinion however, that the following additional conditions should be added to the licence together with the standard conditions that would automatically be applied:

1. The Licence issued is for the premises in its existing layout. Any changes to the layout must be approved in advance by Leicester City Council
2. The Licence issued is for the Managers listed on the application. Any changes to the management of the company will need to be approved by Leicester City Council

Sub-Committee members stated the additional conditions were justifiable and proportionate in order to ensure the premises continued to be suitable for the activity for which it is intended and to ensure the company continued to be managed in a professional and appropriate manner.

13. APPLICATION TO RENEW A SEXUAL ENTERTAINMENT VENUE LICENCE: SPEARMINT RHINO, 64 BELGRAVE GATE, LEICESTER

The Director of Neighbourhood and Environmental Services submitted a report that required Members to determine an application to renew a sexual

entertainment venue (SEV) licence under the Local Government (Miscellaneous Provisions) Act 1982, as amended by the Policing and Crime Act 2009, for Spearmint Rhino, 64 Belgrave Gate, Leicester, LE1 3GQ.

Mr John Specht (Vice-President of Spearmint Rhino UK, and Director of Bacchus Leisure Limited holder of the premises licence) and Mr Robert Sutherland (Solicitor) were present. Ms Helen Everett who had made representation was present. The Licensing Team Manager (Policy and Applications) and Legal Representative to the Sub-Committee were also present.

Introductions were made and the procedure for the meeting outlined.

The Licensing Team Manager (Policy and Applications) outlined the details of the application.

Ms Everett was given the opportunity to present her case for objecting to the application and answered questions from Members.

Mr Sutherland and Mr Specht were then given the opportunity to respond to the representation and answered questions from Ms Everett.

All parties were given the opportunity to sum up their positions and make any final comments.

The Sub-Committee received legal advice from the Legal Adviser to the Sub-Committee in the presence of all those present.

In reaching their decision, Members felt they should deliberate in private on the basis that this was in the public interest, and as such outweighed the public interest of their deliberation taking place with the parties represented present.

The Chair announced that the decision and reasons made during private deliberation would be publicly announced in writing within five working days. The Chair informed the meeting the Legal Adviser to the Sub-Committee would be called back to give advice on the wording of the decision.

The Chair then asked all but Members of the Sub-Committee and Democratic Support Officers to leave the meeting. The Sub-Committee then deliberated in private to consider their decision

The Sub-Committee recalled the Legal Adviser to the Sub-Committee to give advice on the wording of the decision.

RESOLVED:

That the application for the renewal of a sexual entertainment venue licence for Spearmint Rhino, 64 Belgrave Gate, Leicester, LE1 3GQ be GRANTED.

Members of the Sub-Committee had been asked to determine an application

submitted in accordance with the Local Government (Miscellaneous Provisions) Act 1982 for the renewal of a Sexual Entertainment Venue Licence in relation to premises known as Platinum Lace.

In reaching their decision the Sub-Committee Members carefully considered the Committee report presented by the Licensing Team Manager (Policy and Applications), the representations presented by all parties and the legal advice provided.

The Sub-Committee Members had considered the application on its own merits and in accordance with the Council's Policy on Licensing of Sexual Entertainment Venues and had given due regard to the Councils' Public Sector Equality Duty in accordance with the Equality Act 2010.

The Sub-Committee had considered carefully the representations from the member of the public and those made by the applicant.

Members had not taken anything presented to them at face value and confirmed they had scrutinised the information put before them by all parties.

The Sub-Committee had considered all the decisions available to them. As a result of what they had heard, Members were satisfied that it was justifiable and proportionate to RENEW THE LICENCE SUBJECT TO ADDITIONAL CONDITIONS.

REASON FOR THE DECISION

Members considered that none of the mandatory or discretionary grounds upon which the application could be refused had been met. The Sub-Committee had been informed that there had been no complaints regarding the premises and were confident based on the information before them that the premises would be managed in an appropriate and professional manner.

Members were of the opinion however, that the following additional conditions should be added to the licence together with the standard conditions that would automatically be applied:

1. The Licence issued is for the premises in its existing layout. Any changes to the layout must be approved in advance by Leicester City Council
2. The Licence issued is for the Managers listed on the application. Any changes to the management of the company will need to be approved by Leicester City Council

Sub-Committee members stated the additional conditions were justifiable and proportionate in order to ensure the premises continued to be suitable for the activity for which it is intended and to ensure the company continued to be managed in a professional and appropriate manner.

14. CLOSE OF MEETING

The meeting closed at 1.28pm.