

From: [REDACTED]
Date: Wed, 24 Jun 2020 at 16:42
Subject: Obsessions, 2B Whitworth Street West, Manchester M1 5WZ - Ref: 246273HH1
To: Premises Licensing <premises.licensing@manchester.gov.uk>
Cc: [REDACTED]

Please treat this e-mail as a formal objection to the application for a transfer of the Sexual Entertainment Venue Licence in respect of Obsessions, 2b Whitworth Street West, Manchester, M1 5WZ. Ref 246273HH1.

We are aware that there are discretionary grounds for the refusal of an application of this nature, and it is under one of these grounds that our objection is based:-

“the applicant is unsuitable to hold a licence by reason of having been convicted of an offence, *or any other reason*”.

We obtained a County Court Order against the current Licence holder - Primehill Properties Limited - for unpaid fees. This went before the County Court on the 7th March 2020, when the Judge ordered payment to be made by 2nd April 2020. Payment was not made, and a Statutory Demand was hand-delivered to Primehill Properties Limited on the 28th April 2020. [A fraction over half the outstanding monies has been paid in the interim period].

We believe that the application for Transfer was lodged (just 2 days later) as a result of this Statutory Demand. The Applicants - who are the Directors of Primehill Properties Limited - are attempting to circumvent both the Court Order and our Petition to wind up their Company due to non-payment.

Philip Kolvin QC writes that:

“given the wording of this ground of refusal, and also given the purpose of the legislation, it is obvious that the material sounding against the applicant need not relate to criminal matters. Anything which may rationally be considered to render the applicant unsuitable may be taken into account. It is suggested that the following are potentially relevant considerations:

(1) Is the applicant honest?”

[Sex Licensing by Philip Kolvin QC - page 58]

The Applicants for the Transfer are the same individuals who are also the Directors of Roefax Limited, a Company which holds the Sexual Entertainment Licence at Victoria's, 8 Dantzic Street, Manchester M4 2AD.

We were informed by the Directors of Roefax Limited (see attached e-mail dated 11th May 2020) that the Company was insolvent. We also had a County Court Order in our favour regarding this Company and an unpaid invoice. In the e-mail we were asked that - given the insolvency - we would accept payments to clear the Order in respect of Obsessions alone. To date there is no reference to the Company having become insolvent on Companies House. It seems that we were given misleading information regarding the status of Roefax Limited to

prevent us from proceeding to wind up that Company. This once again demonstrates the character of the two individuals involved.

We would suggest that given the Directors refusal to adhere to recent Court Orders – together with the timing of the application for Transfer falling shortly after the service of a Statutory Demand - that the Licensing Authority would be well within their rights to refuse the application, using the above discretionary consideration.

We would also suggest, that by granting the Transfer of the Sexual Entertainment Venue Licence, the Licensing Authority would be allowing the applicant to circumvent Orders of the County Court.

Kind regards,

[REDACTED]

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Supporting information was submitted with the objection which has not been included in these papers