

**GENERAL LICENSING SUB COMMITTEE****Wednesday 13 April 2005**

PRESENT:-

Councillor TAYLOR (Chairman); Councillors HERBERT and SLATER.

**1. ELECTION OF CHAIRMAN.**

**RESOLVED:** That Councillor Taylor be elected Chairman for this meeting.

**2. APPLICATION FOR SEX SHOP LICENCE.** The Committee considered the report of the Commercial Services Manager, Environmental Health regarding an application for a sex shop licence in respect of premises at 3 Terminus Buildings, Station Parade.

Two letters of objection were reported from local residents and two objections via e-mail were reported from Councillors Lacey and Marsden. Concerns were raised that the proposed use of the premises was inappropriate for the locality having regard to its position on a main thoroughfare into the town centre. A further letter from Mr N Waterson MP objecting on behalf of local residents was reported at the meeting. Although the letter had been received after the 28-day period for the submission of objections, the applicant's Barrister raised no objections to the Sub Committee having regard to the objection.

A letter from the Freeholder of the premises stated that the premises had proved difficult to let and that the current application was supported.

Councillor Lacey addressed the Sub-Committee against the proposal on behalf of local residents.

The Commercial Services Manager circulated a map defining the suggested locality within which the premises were situated.

Mr A Farrer, Barrister, addressed the Sub-Committee on behalf of his client and responded to the objections made. Reference was made to the applicant's experience in the trade over a 25-year period. Members were advised that the applicant would agree to the operation of CCTV at the premises and that the staff employed would be experienced and well trained managers. Mr Farrer confirmed the intention to open the premises as a shop that did not require a licence if the application was refused.

The applicant, Mr Butler, addressed the Sub-Committee and responded to a number of Members' questions. A letter from Mr Butler outlining his business activities and proposals for the premises was attached as appendix 3 to the report.

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Mr Butler had requested that the conditions be amended to permit a window display and advertisement and examples of the window displays used at other shops owned by the applicant were circulated. The proposed window display and floor plans were attached as appendices 1 and 2 to the report.

The Sussex Police Licensing Officer, Mr A Whitehead stated that the operation and management of the premises would be monitored to ensure standards were maintained and confirmed that no objections were raised on behalf of Sussex Police. Mr Whitehead confirmed that no complaints had been received following the granting of a licence for a sex shop in Cavendish Place.

Members were advised that periodic inspections of the premises would be made by Environmental Health to ensure compliance with the licence conditions.

The East Sussex Fire and Rescue Service had commented that there was insufficient detail on the plan to comment and that the appropriate fire safety legislation would apply should the premises open for business

The proposed conditions in respect of the management and conduct of the premises, opening hours and the external appearance and layout were set out in appendix 6 to the report.

Members expressed some concerns regarding the window display and that given the location of the premises, the conditions controlling the external appearance should be maintained. Councillor Taylor raised concerns regarding the proximity of the premises to the public library.

**RESOLVED: (By 2 votes to 1)** That a sex shop licence be granted in respect of 3 Terminus Buildings, Station Parade, subject to the conditions as set out in appendix 6 to the report.

**(NOTES: (1)** Councillor Taylor declared a personal, non-prejudicial interest in this item, as a family member was the proprietor of a shop located in the vicinity and took part in the discussion and voting).

**(2)** Councillor Taylor requested that it be recorded that he voted against the application).

The meeting closed at 8.14 pm.

**B E TAYLOR**  
**Chairman**