

Decision of Licensing Sub Committee Hearing, 26 September 2019

Application for the variation of a Sexual Entertainment Venue Licence by F Forte Developments Ltd at LUX , 2a-2b Pevensey Road, Eastbourne, BN21 3HJ.

The hearing concerned the application for a variation of the Sexual Entertainment Venue Licence by F Forte Developments Ltd at LUX, 2a-2b Pevensey Road, Eastbourne, BN21 3HJ.

The applicant applied, amongst other things, (as outlined in full in the Report at para 2.3) to remove the conditions on the licence which related to full nudity not being permitted and the requirement that there be a minimum distance of one meter between the dancer and the seated customers at all times.

In discharging its functions the Sub Committee considered the relevant legislation, the relevant Home Office guidance, the Council's Sex Establishment and Encounter Policy, and the rules of natural justice.

The Sub Committee noted that no objections had been received to the application.

The Sub Committee considered the application and the oral representations made by the applicant's representative, Mr Rankin, at the hearing. Those representations are outlined in the minutes of the hearing.

In its deliberations the Sub Committee considered what decision would be appropriate from the options outlined in paragraph 5.1 of the Report.

Decision

The Sub Committee's decision was to make the variations specified in the application and as set out in paragraph 2.3 of the Report.

Reasons for decision

The Sub Committee accepted the arguments made by the applicant's representative about the potential problems of enforceability in relation to the minimum 1 metre distance between the dancer and the seated customers (current condition 10) and noted that the conditions about no touching (current conditions 8 and 14) would remain. Further the Sub Committee were content with the applicant's arguments made regarding removing the condition which did not allow full nudity (current condition 7).

At the hearing the Chair confirmed that the Sub Committee agreed to make all the variations applied for.