

9th October 2008

Your Ref: BK/HET

B Kent
Principal Licensing Officer
Planning, Health and Environment
Duke House
Clensmore Street
Kidderminster
DY10 2JX

PH&E
13 OCT 2008

Dear Mr Kent

Re Simply Pleasure –objection to Licence renewal 51 Blackwell Street Kidderminster

Thank you for your reply on 3rd October to my letter of 23rd September concerning the above.

I note that objections cannot be made on grounds of morality or decency. I am also thankful for receiving yesterday the attachment of the relevant copy of the Council's Licensing Policy. Having reflected upon it, it only leaves me with yet more questions which I would be grateful if you could please answer for me.

In relation to your comment that "the Council has already deemed the above to be suitable for use as an adult establishment at that location", could you please clarify whether this is a reference to the original application for the licence or for the renewal of the licence?

If it is the latter, I would like to query why it is that part of the renewal process is to allow public consultation if the Council on the face of it appears to already made up its mind?

If it is the former then that statement is irrelevant since the section in the Sex Shop Licensing Policy entitled Guidance Notes and point iv) states that "it must be made clear that each application will be determined on its own merits notwithstanding such a pre-determined and, therefore, necessarily tentative policy". In other words, the application for the renewal of the licence is not affected by the outcomes of the previous decision, whether that may have been an initial application or renewal.

Taking that previous quote further, perhaps you should re-consider the points made concerning the appropriate number of sex establishments for the relevant locality. For this you would need to look at paragraph d) and points i) and ii) of the Local Government (Miscellaneous Provisions) Act 1982. Also, the Council's Policy reflects this by stating that it "is unlikely to approve applicants for a sex establishment in areas that are predominantly residential or close to 'sensitive premises' such as schools, place of religious worship etc., or where they consider such an application is inappropriate to the character of the relevant locality".

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The relevant points concerning the character of and the use to which the surrounding premises are put are as follows.

- The Mosque, the Salvation Army, the Church of England and the Methodist church are all places of religious worship in the vicinity.
- Families and children access the park via one of its entrances that is directly opposite Simply Pleasure.

I believe there are other points which can be made but perhaps it would be helpful if you could define 'relevant locality' and 'character' for the purposes of these contexts.

In view of the above, I wish to re-iterate some of the points I made on 23rd September which I would be grateful please for a response on:-

1. Do you agree that where it is situate being on a gateway to the town from Wolverhampton and Stourbridge that its negative impact upon the immediate vicinity of the Horsefair and Kidderminster makes the area look seedy?
2. Do you agree that its continued presence could operate as a barrier to regeneration of this part of Kidderminster? People could easily be put off investing in a less desirable neighbourhood?
3. Do you agree that perhaps the Council should be looking for more worthwhile wholesome enterprises to be located in the Horsefair that will promote good health and welfare, a positive atmosphere and economic prosperity through more productive employment that generates wealth?

I look forward to hearing from you when you have considered the matter further.

Yours sincerely

