

02/10/2008

Your ref: BK/HET

Brian Kent
 Head of Planning
 Health and Environment Division
 Duke House
 Clensmore Street
 Kidderminster
 DY10 2JX

PH&E
 - 6 OCT 2008

Dear Brian Kent,

Renewal of adult establishment licence: Simply Pleasure, 51 Blackwell Street, Kidderminster

I am grateful for your quick reply on the 23rd September 2008 concerning Simply Pleasure of 51 Blackwell Street Kidderminster.

I accept your note that objections cannot be made on moral grounds. I am also thankful for the attachment of the relevant copy of the Council's Licensing Policy. However, it only leaves me with yet more questions which I do hope that you can answer for me.

In relation to your comment that "the Council has already deemed [Simply Pleasure] to be suitable for use as an adult establishment at that location", is that in 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 has 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, you should now therefore re-consider the points made concerning the appropriate number of sex establishments for the relevant locality. For this I would draw your attention to paragraph d) and points i) and ii) of the Local Government (Miscellaneous Provisions) Act 1982 (to which you provided me a copy). 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".

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

Lastly I note that you did not respond in any way to my first point on my previous letter. If you could please do so this would be much appreciated. I restate that point again below for your ease:

'As a constituent of Kidderminster I care extremely about this town, its people and its neighbours. The Wyre Forest District Council recently stated that they wish to improve the main gateways into Kidderminster. This is an excellent initiative as this is what visitors to our town will first see and therefore remember. This in turn reflects on Kidderminsters reputation as a clean, healthy, thriving town. The Horsefair and Broadwaters represent the gateway from Wolverhampton and Stourbridge. Blackwell Street, unfortunately, does not give a great representation of our town for visitors as it is dirty and heavily loaded with traffic. The area is infamous for drugs and drink too. That all goes without saying if the first thing a visitor sees is a sex shop, in the big lettering of Simply Pleasure. What picture does this paint of our town? I certainly do not find it an attractive one.'

Yours sincerely,