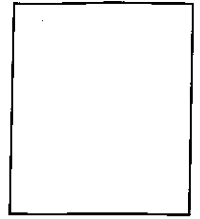




**SHEFFIELD CITY COUNCIL
Licensing Sub Committee
Report**



Report of: Chief Licensing Officer, Head of Licensing

Date: 10th November 2014

Subject: Local Government (Miscellaneous Provisions) Act 1982 (as amended)

Author of Report: Clive Stephenson

Summary: To consider objections in relation to an application for a Sex Establishment Licence .

47-49 Chesterfield Road Sheffield S8 ORL

Recommendations: That members carefully consider the representations made and take such steps, as the Sub Committee consider necessary for the promotion of the Licensing Objectives.

Background Papers: Attached documents

Category of Report: OPEN

**Local Government Miscellaneous Provisions Act 1982 (as amended)
Sex Establishment**

Premises -

1.0 PURPOSE OF REPORT

- 1.1 To consider an application for the grant of a sex establishment licence made under schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (LGMPA 82).

2.0 THE APPLICATION

- 2.1 The applicant is Paul Raymond Darker.
- 2.2 The application, which was received on 19th September 2014, is attached to this report labelled Appendix 'A'. Missing pages are blank on the application. The original application will be available at the hearing if needed.

3.0 REASONS FOR REFERRAL

- 3.1 Objections concerning the application have been received from the following:-
- a) No - 24 Public Objections
 - b) No – 3 Councillor Objections Appendix 'B'
 - c) No – 1 Public Support Letter
- 3.2 The applicant and representatives from 3.1 have been invited to attend the hearing. Copies of the front page of the notice(s) are attached to this report labelled Appendix 'C'.
- 3.3 There has been a submission in support of the application this is in Appendix B at page B25.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no specific financial implications arising from this application. However, additional costs may be incurred should the matter go to appeal. In such an eventuality it may not be possible to recover all these costs. The impact of these additional costs (if any) will be kept under review and may be subject of a further report during the year.

5.0 THE LEGAL POSITION

- 5.1 Schedule 3 of the LGMPA 82 sets out that sex establishment means sex shop or sex cinema.
- 5.2 Section 4(1) of the above Act sets out that "sex shop" means any premises, vehicle, vessel or stall used for a business which consists to a significant degree of selling, hiring, exchanging, lending, displaying or demonstrating—.

- (a) sex articles; or.

(b) other things intended for use in connection with, or for the purpose of stimulating or encouraging—

(i) sexual activity; or.

(ii) acts of force or restraint which are associated with sexual activity.

5.3 The sub-committee should have regard to the LGMPA 82 which details the grounds for refusing to grant a licence

(a) that the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;

(b) that if the licence were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he made the application himself;

(c) that the grant or renewal of the licence would be inappropriate, having regard—

(i) to the character of the relevant locality; or

(ii) to the use to which any premises in the vicinity are put; or

(iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

5.4 In this paragraph "*the relevant locality*" means —

(a) in relation to premises, the locality where they are situated; and

(b) in relation to a vehicle, vessel or stall, any locality where it is desired to use it as a sex establishment

6.0 HEARINGS

6.1 There are no legal guidelines that determine timescales or what is needed in the case of a sex establishment licence however the European Services Directive states that hearings will take place within 20 working days of the day after the day which is the deadline for making objections.

6.2 Attached at Appendix 'C' is the following: -

a) a copy of the Notice of Hearing;

b) the procedure to be followed at the hearing.

6.3 Objectors have been informed of the procedure and have been invited to attend the hearing. A single Copy of the 29 invitations that were sent out is attached at Appendix "C"

7.0 APPEALS

- 7.1 In the event that an application for the grant, renewal or transfer of a sexual establishment licence is refused, the applicant may appeal to the Magistrates' Court within 21 days of receiving notification of the decision.

There is no right of appeal for objectors where an application is granted.

8.0 RECOMMENDATIONS

- 8.1 That Members carefully consider the application, have regard to any observations submitted to them by the chief officer of police and any objections and determine whether or not the grant of the licence would be appropriate.

9.0 OPTIONS OPEN TO THE COMMITTEE

- 9.1 To grant the sex establishment licence in the terms requested.
- 9.4 To refuse the application.

Stephen Lonnia
Chief Licensing Officer
Head of Licensing

10th November 2014

Appendix A

The Application Forms

Flax + SHP 22/10/14

2014

CITY OF SHEFFIELD

AI

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 SCHEDULE 3
APPLICATION FOR A LICENCE FOR A SEX ESTABLISHMENT**

I WE HEREBY APPLY to the Sheffield City Council to grant / renew / transfer a licence to Use a premises / a vehicle* / a vessel* / a stall* as a sex establishment. (*Delete as appropriate)

PLEASE COMPLETE THIS FORM IN BLOCK LETTERS
(continue on a separate sheet if necessary)

1. Full name(s) of applicant: PAUL RAYMOND DAVER

2. State any other name or names by which the applicant is, or has been, known:

3. (1) If the applicant is an individual state present permanent address :
(2) If the applicant is a body corporate or an unincorporated body state address of registered office or principal office, as the case may be :

4. If the applicant is an individual please give the following information :
(1) Have you resided at the address given above throughout the whole of the six months immediately preceding the making of this application? YES

Multiple Objections received.

OBJECTION 3/10/14 attached Page 14
Objection - 13/10/14 x 34 attached.
14/10/14 1

17th October 2014

(2) If the answer to the previous Question Is "NO" please give all other addresses at which you have resided during that time :

.....
.....
.....
.....

(3) Age [redacted] years. Date of Birth [redacted]

(4) Telephone No: Mobile No: [redacted]

(5) E.Mail Address: [redacted]

5. If the application is in respect of a licence for a vehicle, vessel or stall has the applicant been refused a licence for it within a period of 12 months immediately preceding the making of this application and the refusal has not been reversed on appeal?

.....
.....
.....
.....

10. Is the whole of the business which is the subject of this application owned by the applicant?
If the answer is 'No' please state names and addresses of other part owners and extent of various interests.

YES

.....
.....
.....
.....

11. Has any person or body other than the applicant any interest in the business, whether by sharing in gross returns, or in profits or losses, or by way of annuity loan or otherwise?

If the answer is 'Yes' please state names and addresses of the holders of such interest and the nature and extent of such interests.

NO

.....
.....
.....
.....
.....
.....

12. Is the business in respect of which this application is made required to purchase merchandise solely or mainly from a particular company, person or body? If 'yes' supply a copy of any agreement and state what is to be purchased and from whom.

NO

.....
.....
.....
.....

13. State whether this application is for a licence for a shop or a sex cinema, or both.

SHOP

.....
.....

14. State whether this application is in respect of:

(a) premises; or PREMISES
(b) vehicle; or
(c) a vessel; or
(d) a stall.

.....
.....
.....
.....

AK

In the case of premises state the full address, for a vehicle state registration number, make and type, for a vessel state name and give a brief description, for a stall give a brief description.
47-49 CHESTERFIELD ROAD
SHEFFIELD S8 0EL

15. If the application relates to a vehicle, vessel or stall state where it is to be used as a sex establishment.

16. If the application relates to premises state whether the applicant is the freeholder or the leaseholder.
LEASEHOLDER

17. If the applicant is the leaseholder state:
(a) the name and address of the lessor; and
CITY ESTATES LTD
WEST ONE
14 FITZWILLIAM ST S1 4JL
(b) the annual rent paid for the premises to which this application relates. (If the rent also relates to other premises please describe those premises).

18. Are the whole of the premises described in response to Question 14 above to be used as a sex establishment?
YES

19. If the answer to Question 18 above is 'No' please state:
(a) which parts of the premises are to be used for the purpose of a sex establishment;
(b) the uses to which the remainder of the premises are to be put;

20. Are the premises, or the vehicle, vessel or stall for which this application is made, in use as a sex establishment at the date of this application?

NO.....
.....
.....

21. Were the premises, or the vehicle, vessel or stall for which this application is made, in use as a sex establishment on 22nd December 1981?

NO.....
.....
.....


22. Under what names are or will the premises be known?

THE NAUGHTY COMPANY.....
.....

46

23.

In respect of every person who is to be responsible for the management of the premises or the vehicle, vessel or stall if a licence is granted please supply the following details:-

SURNAME	FORENAMES	OTHERNAMES NOW OR FORMERLY KNOWN BY	HOME ADDRESS	DATE OF BIRTH
DREVER	PAUL DAVIDSON			

A7

25. What means are to be taken to prevent the interior of the establishment being visible to persons outside?

DOUBLE DOOR ENTRANCE

26. Give details of the days and times during which it is proposed that the establishment be open to the public.

MON-SAT 10.00AM - 8.00PM

SUN 11.00AM - 4.00PM

27. If this application is made by a company or other corporate body, or by an unincorporated body, has it been authorised by resolution at a meeting of that body? If the answer is 'Yes' please supply a certified copy of the resolution.

28. If this application is made by or on behalf of a partnership, do all the partners concur in the making of the application?

28. Does the applicant wish to apply for the requirement for a licence to be waived under the provision of paragraph 7 of Schedule 3 to the Act?

APPLICANTS ARE WARNED THAT ANY PERSON WHO, IN CONNECTION WITH AN APPLICATION FOR THE GRANT OR RENEWAL OF A LICENCE MAKES A FALSE STATEMENT WHICH THEY KNOWS TO BE FALSE IN ANY MATERIAL RESPECT, OR WHICH THEY DO NOT BELIEVE TO BE TRUE, IS GUILTY OF AN OFFENCE AND LIABLE ON SUMMARY CONVICTIONS TO A FINE NOT EXCEEDING £10,000.

DECLARATION

A8

I PAUL RAYMOND DAVER

declare that I believe the information given above is true and complete in every respect.

Signature of applicant:



Date: 17-9-14

(where the applicant is a body corporate or unincorporated body this application should be signed by a partner, the secretary or a director stating in which capacity it is signed).

PLEASE SEE THE ATTACHED NOTES

Licensing Service
Place Portfolio
Block C Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD

Telephone: 0114 2734264

Opening Hours: 10:00am to 4:00pm Monday to Friday.

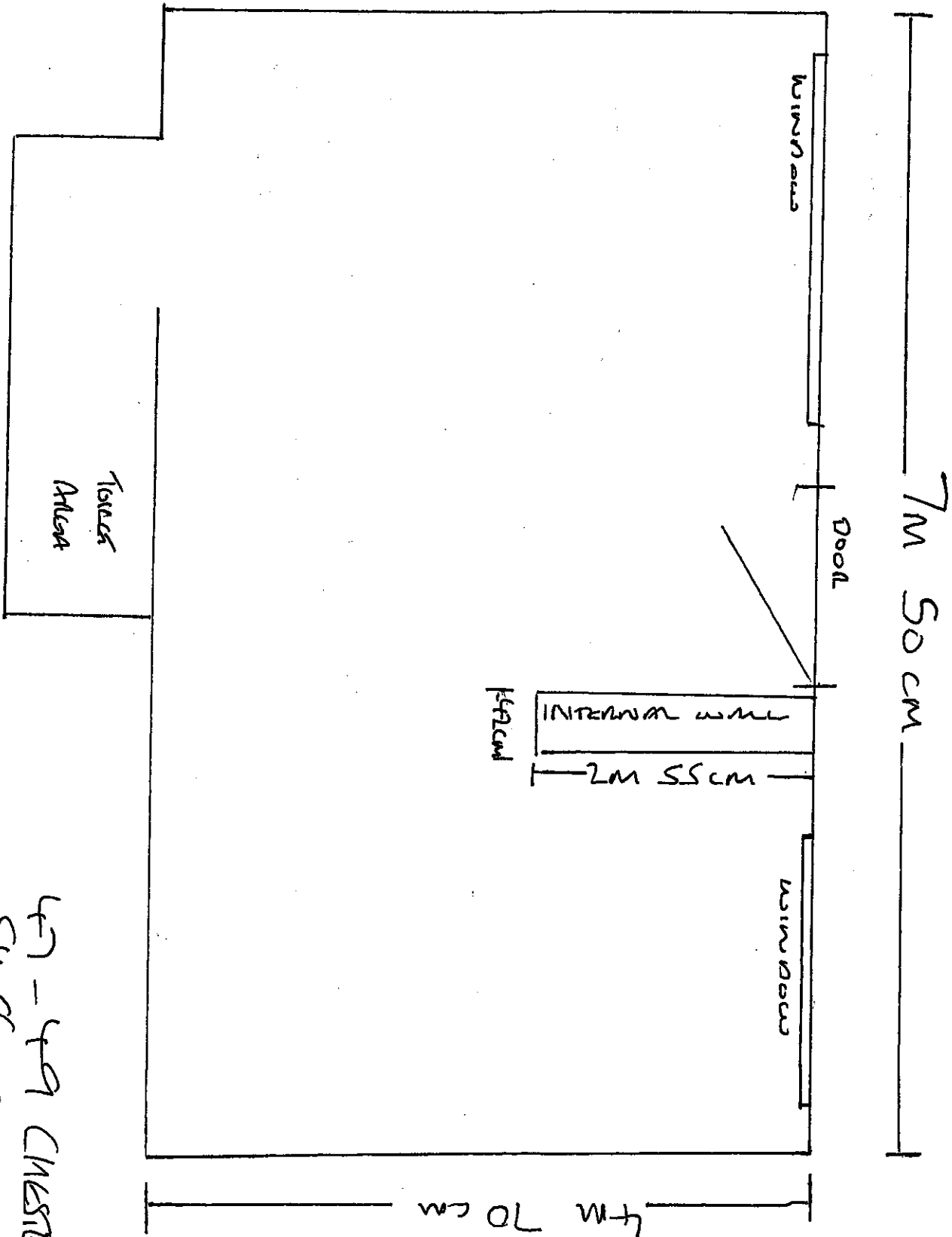
Or visit our website at: www.sheffield.gov.uk

Or e-mail us at: licensing@sheffield.gov.uk

NOTES FOR APPLICANTS

1. In the case of an application in respect of **premises**, a copy of the Notice overleaf must be displayed for **21 days** (beginning with the date of application) on or near the premises in respect of which the application is made, in a place where the Notice can be conveniently read by the public.
2. In **every** case a copy of the Notice overleaf **must** be published in a local newspaper circulating in Sheffield not later than **7 days** after the date of application.

A9



47-49 CHESTNUT RD
SHEFFIELD
S8 0RL

Appendix B

No 24 Public Objections

No 1 Public Supporting Letter

No 3 Councillor Objections

B I

[REDACTED]

From: [REDACTED] on behalf of licensingservice
Sent: 03 October 2014 09:01
To: [REDACTED]
Subject: FW: Objection to 47 - 49 Chesterfield Road becoming a licensed sex establishment

From: [REDACTED]
Sent: 02 October 2014 19:54
To: licensingservice
Subject: Objection to 47 - 49 Chesterfield Road becoming a licensed sex establishment

Dear Sir/Madam

We are writing to state that we object to 47 - 49 Chesterfield Road becoming a licensed sex establishment.

We are of the view that this is inappropriate given the changing character of the area/locality and the nature of the other premises in the area.

We are of the view that Sheffield City Council needs to be aware that in this residential area (with many families with young children) there are the following:

- 2 primary schools
- Meersbrook park with a playground and playgroups in the pavilion
- places of worship including a church and a mosque
- a public swimming pool that has sessions for women and for children
- a women's refuge for vulnerable women and children

The proposed establishment faces onto the main road, is near a pedestrian crossing and is across from a bus stop

We are concerned that such a development would harm the development of this area. Meersbrook is undergoing somewhat of a 'revival' demonstrated by Blundells leafletting properties in the area asking if they want to sell (as they have buyers who want to move into the area) and the opening of two quality cafes/restaurants - Des Amis and the Bhaji Shop and Thali Cafe.

*Kind regards, [REDACTED]
[REDACTED]

B 2

[REDACTED]

From: [REDACTED]
Sent: 12 October 2014 17:52
To: licensingservice
Subject: re Naughty Company taking over shop on Chesterfield Road

Dear Sir/Madam

I strongly object to the company taking up premises on what is already an area which struggles to stay on the right side of respectable. Recent shops and cafes and renovations of public houses have added to the community feel of the area. I for one do not want this area to be even more run down and sleazy. Surely this would be better placed in a city environment which can absorb such an enterprise without damaging the character of the area. I appreciate the council needs the licence fees however, surely there are other more suitable sites.

Kind regards

[REDACTED]

B 3

From: [REDACTED]
Sent: 12 October 2014 11:17
To: licensingservice
Subject: Objection to planning permission

Hi there

I would strongly like to object the permission of opening the naughty company opening premises at 47 - 49 chesterfield road.

My reasons for this are that it may attract unwanted desirables to the area! Advertising that they have an all girl team to try before you buy to me says that is an undercover operation to sell sex!! The area is a well established family orientated area and something like this shop needs to be kept in the areas that are not so well populated with families and residents. It will bring the area down and once this goes ahead it will attract other businesses of the same nature which I feel we do not need.

Sent from [REDACTED]

B 4

[REDACTED]

From: [REDACTED]
Sent: 12 October 2014 19:30
To: licensingservice
Subject: Sex shop 47 -49 Chesterfield Rd

I wish to object about the proposed planning application re the above.

As a registered childminder I feel that it will attract the wrong sort of people to our area. The premises are close to Meersbrook Park, two schools and playgroups, and are directly opposite a bus stop and doctors surgery

In my opinion it is totally unsuitable premises for our area.

From: [REDACTED]
Sent: 13 October 2014 03:21
To: licensingservice
Subject: 47-49 Chesterfield Road application
Signed By: [REDACTED]

Hello,

I would like to wholeheartedly lodge my objection to the Naughty Company sex shop application for 47-49 Chesterfield.

This isn't the type of business we want in our area. The area is slowly developing and as more restaurants and businesses are moving into the area of a higher standard, the area has the real possibility to be more up and coming in the future. Local residents are desperate to a bit of re-generation on this section of Chesterfield Road and this will not attract what we want. I specifically chose to buy a property in this area because of the potential this area has in the future. How are we expected to tempt more high end establishments such as the new café/restaurant on the corner of Meersbrook Park road if this moves in? Who wants to take their family shopping to Lidl, standing at the crossing with our children with this shop staring you in the face, not to mention the wrong sort of people this will attract. That whole stretch of shops is a key part of our local area that needs to attract quality shops and restaurants to really improve our local area. What chance do we have on any other quality retailers moving into that section if this gets permission. It can clearly be seen how tacky the existing sex shop is with its signage and garish pink front. I really don't want to live just past sex alley, what next a strip bar and Sauna? Would this be allowed in Ecclesall Road next to Nona's or café rouge? Come on let's see sense here and send them packing and REJECT this application for the good of our local community.

Regards

[REDACTED]

LICENSING

14 OCT 2014

SERVICES

13 October 2014

Sheffield City Council Licensing Section
Block C
Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD

Dear Sir/Madam

I have received a leaflet through my door from Cllrs Cate McDonald, Tim Rippon and Steve Jones, alerting me to the fact that the Naughty Company have applied to open a sex shop at 47-49 Chesterfield Rd.

I wish to make a formal objection to the possible granting of a license to this company, on the grounds that:

- The locality has developed in the last decade so that there are many more families using it for shopping and leisure than there used to be, with the arrival of Lidl and a new doctor's surgery opposite the planned site. Several cafes and restaurants have opened and are much used by mums with babies and young families. It is quite unsuitable to have a sex shop where children will be frequently passing, and granting a licence to this will damage existing local businesses.
- The nature of the shop planned will attract undesirable people into the area, which is not appropriate given the proximity of Meersbrook Park – currently much used by families and having a broadly safe feeling at present. There is a playgroup located at this end of the park.
- There is an Asian women's refuge in the area and the existence of a sex shop is offensive in that context. Several families locally are Muslim and the shop is likely to be similarly offensive to them.

Yours sincerely

B7

[REDACTED]

From: [REDACTED] on behalf of licensingservice
Sent: 14 October 2014 11:11
To: [REDACTED]
Subject: FW: Application re 'adult' shop on Chesterfield Road

-----Original Message-----

From: [REDACTED]
Sent: 13 October 2014 20:27
To: licensingservice
Subject: Application re 'adult' shop on Chesterfield Road

Dear madam/sir,

I am writing to express my objection to the proposed sex shop on Chesterfield Road in Meersbrook/Heeley. Firstly, they have not complied with licensing requirements as their application has been taken out of the window before the deadline of October 17th as of Saturday October 11th.

Secondly, I have many other concerns about another sex shop in this area - given the historic and current links the area has with the sex industry, I do not think that licensing another sex shop would attract new business, and may harm the existing businesses such as cafés and book shops which have recently opened, and which are in my opinion good for the growth of the area. Meersbrook and Heeley have high birth rates and are populated mainly by young families - Carfield, Meersbrook Bank and Mundella primaries are all known as good schools and have all had full reception classes this year, and Sloan Medical Centre have recently opened a large family doctors' practice right over the road from the proposed sex shop. I believe that any new businesses in the area should serve the existing community, and the existing community is young families, which is incompatible with leasing premises to the sex industry.

Lastly, you may or may not know that local rumour has it that a brothel is being run out of the top floor of the parade of shops on the stretch of Chesterfield road that runs between the junctions with Beeton road and Meersbrook park road. I do not know or particularly care whether this proposed new sex shop is connected with this or not. All I will say is that all available research on the sex industry in Britain shows that it harms and exploits vulnerable women and girls, and I am very reluctant to trust anything purporting to be the acceptable face of this industry anywhere, let alone in an area known to be populated by young families.

Yours faithfully

[REDACTED]

B8

[REDACTED]

From: [REDACTED] on behalf of licensingservice
Sent: 14 October 2014 11:13
To: [REDACTED]
Subject: FW: 47-49 Chesterfield Road, Sheffield

From: [REDACTED]
Sent: 13 October 2014 17:18
To: licensingservice
Subject: 47-49 Chesterfield Road, Sheffield

I understand an application has been made to your department for a sex shop to be granted a license to open at 47-49 Chesterfield Road, S8. I have not been able to find any information on the Sheffield Council website about this application, so I'm afraid I cannot supply a reference number

I would like to object to the granting of this license. The premises are on a main road near to other shops which are generally of a family nature ie Lidl supermarket, a doctor's surgery, Boots, Pets at Home, cafes, a restaurant etc. Nearby are residential roads and not far off is Meersbrook Bank Primary School. Given the family nature of these other premises and the residential nature of the surrounding area, I think that the siting of a sex shop at this location is inappropriate and will attract the wrong kind of people. On these grounds I would like to submit this formal objection.

[REDACTED]

B9

[REDACTED]

From: [REDACTED] on behalf of licensingservice
Sent: 14 October 2014 11:13
To: [REDACTED]
Subject: FW: 41-49 Chesterfield Road

-----Original Message-----

From: [REDACTED]
Sent: 13 October 2014 16:55
To: licensingservice
Subject: 41-49 Chesterfield Road

dear Sir

I wish to object in the strongest terms to the proposed application for a sex shop at this address. It is not long ago that City Sauna closed nearby after years of dodgy people hanging around and some stocks being abandoned in the yard. We have also had to put up with another place that closed recently.

This is a residential area, with lots of children walking around to school, good quality restaurants, (Everest, il cuciniere, des Amis, Surf and Turf.) as well as several good local pubs and takeaways. The back of the premises in this block is pretty lonely and no doubt customers seeking anonymity would use a rear entrance where there is some parking.

I object as a local resident- their website describes the compAny as 'selling sex toys in a unique environment....we have an all girl team to test our sex toys before you buy' this type of shop damages reputable businesses and attracts the wrong sort of people. I do hope you will consider this objection.

Yours sincerely

[REDACTED]

Sent from my iPad

B10

From: [REDACTED] on behalf of licensingservice
Sent: 14 October 2014 11:19
To: [REDACTED]
Subject: FW: 47-49 Chesterfield Rd

From: [REDACTED]
Sent: 13 October 2014 12:36
To: licensingservice
Subject: 47-49 Chesterfield Rd

Dear Sir or Madam

I am writing to vehemently oppose the proposed opening of a sex shop at 47-49 Chesterfield Road. My reasons for so doing are listed below:

- 1) The Heeley/ Meersbrook area has been moving upwards over the last ten years. The main demographic here is now young professionals and consequently there are a high number of young families in the area. The Chesterfield Road parade of shops formerly housed a sex shop business which was generally the cause of much dismay among local residents and there was a collective sigh of relief when both it and the massage parlour business on the corner of Meersbrook Park Road closed down. The fact that such a business has failed very recently in almost the exact same location indicates that there is no appetite for this sort of establishment among the general public in this area.
- 2) The Heeley Business Park being extended to create a new Costa outlet, the new development of the B&M store and the Lidl superstore, along with expanded premises from established businesses such as Ponsfords and the model railway shop (Tracks?) nearby indicate a willingness for large and/or quality operations to invest in the area, which could be jeopardised by the presence of a sex shop outlet.
- 3) The premises will be located in full view of the car park for Aldi and the Sloane Practice Doctors surgery. Both establishments attract a high number of families with young children who will be exposed to the sex shop frontage on a daily basis. The proposed sex shop will also be close to Café des Amis which is a favourite place for young mothers of the area to meet for coffee and lunch. There are also a range of take away establishments, a new bakery business and several café/restaurants with a family feel (in particular Café des Amis, the new Indian vegetarian restaurant and 'Surf and Turf') with which a sex shop outlet would be wholly incompatible.
- 4) There is a newly built church just up the road opposite Heeley Retail park and, of course, Chesterfield Road leads down to the mosque at Heeley Bottom. I am sure the worshippers in both would not wish to be exposed to a sex shop en route to their devotions.

In short, the proposed sex shop is at odds with the upward direction in which the general area has been heading and would represent a significant step backwards in terms of the regeneration of the area. It would cause offence to many local residents, and with the overall family feel to Heeley and Meersbrook, would be an unwelcome presence. I hope you will reject this application and any future efforts to open such a business in the locality.



B11

14/10/2014

To whom in concerns.

I wish to protest in the strongest possible terms as to the proposed siting of a sex shop titled 'The Naughty Company' at units 47-49 on Chesterfield Road.

I have lived on Meersbrook Park Road for the last nine years and visited friends in the area for the last twenty two. In that time I have seen a great improvement in the character of the area. There used to be a massage parlour on the corner of Meersbrook Park Road which seemed to be tolerated by the authorities, but which made the area feel quite unsafe. It's subsequent closure and later re-development as Cafe Des Amis has brought a much better feel and footfall to the area and shop units on this side of the road.

The area in general has moved to containing a much higher proportion of young and developing families based through Heeley and up to Meersbrook Park and indeed is supported by the two local schools. Many families also visit this area for the facilities that the park offers and walk directly past units 47-49. To bring a double fronted sex shop into such a prime location I see as damaging to the family friendly aspect Meersbrook has taken on in recent years.

I realise there was a sex shop four doors up from the now proposed location but since that shut down our family doctors The Sloan Surgery have constructed a purpose built surgery and is located directly opposite the proposed development. I find the situation highly distasteful that anyone attending the surgery will have this directly in their face upon entering or leaving. I'm quite sure nobody will have consulted with the Sloan practise themselves.

As there is no real parking on Chesterfield Road, patrons of the establishment would undoubtedly use the doctors and Lidl car park opposite which I don't see as being provided for their use.

The premises in question have not been left empty for any amount of time but there are other empty units in the same row. The presence of a sex shop will not encourage other businesses to develop any of these and will have a detrimental effect on the recovery of the neighbourhood at large.

New businesses that have been established recently, specifically The Bhaji Shop, Thali Cafe (two doors up) will be detrimentally affected from such an establishment setting up shop and taking such a prominent position in the neighbourhood, this is not what I feel Meersbrook should be known for and is a step backwards in the sensible licensing of such establishments.

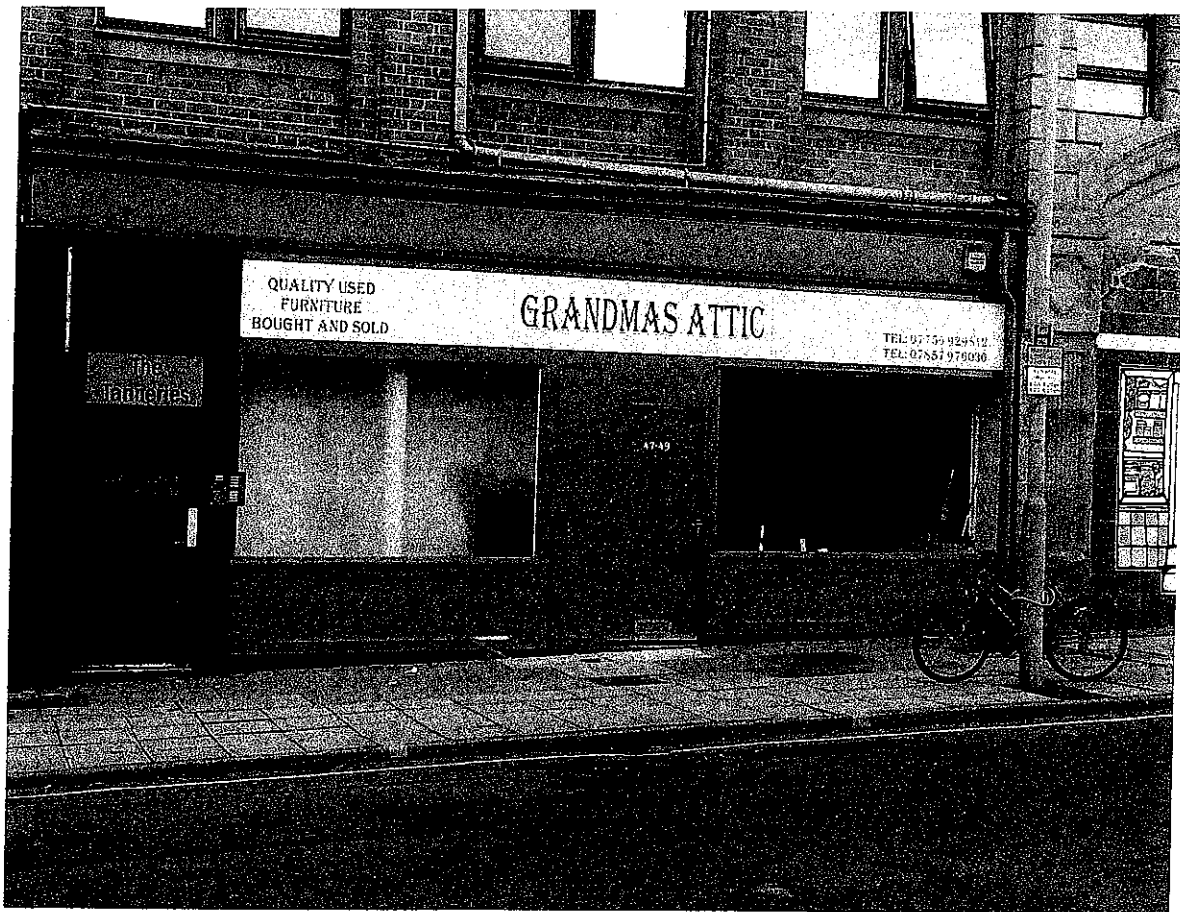
B12

Lastly when I first noticed the application for the development of units 47-49, the notice was posted in the bottom right of their right hand window. It's my understanding that this needs to be displayed for the term of 28 days so objections can be raised, however by at least the 10th of October this notice had been removed which would limit the possibility of other members of the community submitting an objection. I have attached a picture taken on Saturday the 11th as documentation of this. You may also see from this image that construction to block in the front windows has already started as well!

In short I feel the granting of this license would be highly detrimental to the character of Meersbrook and to current and future local businesses.

--

Kind regards



313

[Redacted]

From: [Redacted] on behalf of licensingservice
Sent: 15 October 2014 10:58
To: [Redacted]
Subject: FW: Sex shop at 47 to 49 Chesterfield Road
Importance: High

From: [Redacted]

Sent: 15 October 2014 10:18
To: licensingservice
Subject: Sex shop at 47 to 49 Chesterfield Road

I am objecting to the opening of a sex shop at 47-49 Chesterfield Road on the grounds that it would detract from the character of the locality. In particular:

- The area is extensively used by families.
- The premises are directly opposite a bus stop.
- The area has established restaurants and retailers that attract families.
- The premises are on the route to local parks.
- The premises are in the vicinity of a GP practice

Yours faithfully,
[Redacted]

B 14

[Redacted]

From: [Redacted] on behalf of licensingservice
Sent: 15 October 2014 11:06
To: [Redacted]
Subject: FW: 47-49 Chesterfield Road, Sheffield

From: [Redacted]
Sent: 14 October 2014 11:57
To: licensingservice
Subject: 47-49 Chesterfield Road, Sheffield

Dear Sir/Madam

As a resident of Albert Road I would like to register an objection to the above address being changed into a sex shop.

First of all I would like to criticise the way that this has been displayed on the premises itself - i.e. a very small flyer, with small type, on a corner of a fairly large shop window with only a 'write to' address given i.e. *no email address given.*

I got this email address from a Labour Party flyer put through our letterbox.

I object to this use because of the threat to the character of the locality - families and young children are walking past on their way to school and up to Lidl, B&M, the Sloan Medical Centre, various cafes and takeaways like the fish and chip shop, Meersbrook Park, Heeley Retail Park etc. I would say that it is a challenged area of Chesterfield Road commercially and existing businesses should be credited and supported for their presence and encouraged to remain rather than challenged by this totally uncharacteristic application.

Yours faithfully

[Redacted Signature]

B 15

[REDACTED]

From: [REDACTED] (CEX) on behalf of licensingservice
Sent: 15 October 2014 11:00
To: [REDACTED]
Subject: FW: 47 - 49 Chesterfield Road, Sheffield

Importance: High

From: [REDACTED]
Sent: 14 October 2014 19:44
To: licensingservice; Mcdonald Cate (LAB-CLLR)
Subject: 47 - 49 Chesterfield Road, Sheffield

I was dismayed to discover that the above premises have received a planning application for a sex shop.

The locality of these premises is a mix of family stores (e.g. Lidl, B&M bargains, Boots, Pets at Home, Matalan) and a very welcome developing café scene, with several independent businesses making an excellent contribution to the local community atmosphere in providing pleasant places for people to meet and socialise.

It is a densely populated residential neighbourhood, again mainly families, with two primary schools nearby.

It is normal to see unaccompanied teenagers, single women and young families all walk along this stretch of road. Also it is on the main bus route out of town so countless people pass every day and will look into the windows of the store. I have seen a photograph of this company's other store and see that they deploy mannequins wearing some of their scanty and unnatural outfits; I do not consider that these are suitable for young people to be seeing on a daily basis.

In the light of the recent revelations about the child sex scandal in Rotherham (and more recently Sheffield) it would seem to be quite inappropriate to encourage this objectification of women and their bodies, giving young men unrealistic ideas about women's sexual availability and young girls images that they could feel pressured to emulate.

The local councils and police have been very strongly criticised for not having done enough in the past to halt the grooming scandal; it would look as if no lessons had been learned if this shop was allowed to open here now.

The premises have a large double fronted window and so would have maximum impact on this stretch of road; it could never be discreet.

I believe that a shop of this type should only operate in an area where there is only adult traffic, and perhaps other nightlife related businesses.

I am a single woman living very close by and would not want to see this business open here.

B 16

From: [REDACTED]
Sent: 16 October 2014 16:47
To: licensingservice
Subject: Stop the Sex Shop on Chesterfield Road

Sheffield City Council Licensing Section

We live on Albert Road, just off Chesterfield Road, and wish to submit a formal objection to the application for the opening of a sex shop at 47 – 49 Chesterfield Road. We feel strongly that this is inappropriate, given the character of our locality. Many people will be passing, on foot and in cars, including children and young people.

Yours faithfully,

[REDACTED]

317

From: [REDACTED]
Sent: 16 October 2014 21:29
To: Licensing(General)
Subject: Online Feedback about Licensing

The following information was sent from the Legal & Governance Feedback Form on 16/10/2014 21:29

First Name

Surname

Address

Telephone Number

Email

Subject
Sex Shop Application 47-49 Chesterfield Road

Details

I would like to object in the strongest possible terms to the application submitted to Sheffield City council to open a Sex Shop at 47-49 Chesterfield Road.

The roads which filter onto Chesterfield Road are residential, they house families. Couples and elderly people who would not want to see this type of establishment operating so close to their homes.

We have three young and impressionable teenage children, we would not want to have to explain to the children the nature of the ' Naughty Companies' business. Would they display their goods for passerbys to see as they do on Attercliff? It is offensive and would not be in keeping with the other businesses operating in that area. It would attract the wrong sort of people to the area. Keep these shops in one area of the city - there are many in Attercliffe - why can't they stay there? Away from residential areas. Would the City Council permit this type of establishment on Ecclesall Road or in Fulwood - NO!

This area of Chesterfield road has suffered in the past from neglect, broken pavements, littering and empty shops. At that time another Sex Shop operated from there - 'Hanky Panky'. When this shop closed the area improved attracting more fitting businesses; Ocean fish and chips, health food shop ' In a Nushell', The Bhaji Cafe, the Art supplies shop and the model railway shop.

318 EV

A sex shop would be out of character for this area - sex shops attract other similarly unsuitable establishments - NOT ON OUR DOORSTEP THANKYOU - CONSIDER THE CHILDREN AT THE LOCAL SCHOOLS!



B 19

From: [REDACTED]
Sent: 16 October 2014 20:45
To: licensingservice
Subject: proposed sex shop at 47-49 Chesterfield Road, Sheffield

To whom it may concern,

I wish to object to the proposed sex shop at 47-49 Chesterfield Road Sheffield.

I believe that such an establishment would be responsible for the following negative effects:

adversely affect the visual amenity of the neighbourhood
degrade and diminish the tone of the neighbourhood
deter potential shoppers from using neighbouring businesses
be used to justify further cumulative negative developments.

Finally, I do not believe that this is an appropriate location for such an establishment. The Meersbrook/Heeley area behind Chesterfield Road is predominantly residential, with many young families.

I am a local resident:

[REDACTED]

3 20

From: webmanager@sheffield.gov.uk
Sent: 16 October 2014 19:37
To: Licensing(General)
Subject: Online Feedback about Licensing

The following information was sent from the Legal & Governance Feedback Form on 16/10/2014 19:36

First Name

Surname

Address

Telephone Number

Email

Subject
Chesterfield Road Sex Shop Application

Details

Dear Sir/Madam,

If has come to my attention that an application has been submitted to open a sex shop at 47-49 Chesterfield Road.

I am writing to formally object to this application on the grounds that this sort of establishment does not fit in with the character of the relevant locality.

It causes offence and attracts the wrong sort of people. I feel that this part of Chesterfield Road has some great independant shops and cafes on it. A sex shop will damage these local businesses and is not suitable for this vicinity.

I do hope that Sheffield City Council will turn down this sex shop license application.

Yours sincerely,

B 21

From: [REDACTED]
Sent: 16 October 2014 17:32
To: licensingservice
Subject: Application for licensed sex shop at 47-49 Chesterfield Road, Sheffield 8

To whom it may concern

I am writing to express my deep dismay at hearing that an application has been submitted to Sheffield City Council by the Naughty Company to open a licensed sex shop at 47-49 Chesterfield Road S8 ORN.

This is a friendly family oriented neighbourhood, which is being built up into a very pleasant cafe culture. This must be in line with the Council wishes, as so many have been allowed permission to open in the last few months.

Why then, introduce an element of sleaze, secrecy and exploitation into the area?

In Sheffield City Council's own "Sexual Entertainment Venue Policy Document", section 7 clearly states

"the Council will not licence premises that it feels are in close proximity to:-

- a) **a school, nursery or other premises substantially used by or for children under 16 years of age;**
- b) **a park or other recreational area used by or for children under 16 years of age;**
- c) **a church or other place of religious worship;**
- d) **a Hospital, Mental Incapacity or Disability Centre or similar premises;**
- e) **the Cultural Hub of the City (i.e. close to the Peace Gardens and Tudor Square etc.); and/or**
- f) **a central gateway to the city or other city landmark, historic building or tourist attraction.**

With regard to

a) there are two primary schools in the area - Carfield and Meersbrook Bank. In addition, many secondary school pupils between the ages of 11 and 16 use Chesterfield Road as a major walkway to access the buses in order to travel to school, and would have to walk past this establishment everyday.

b) Meersbrook Park is just around the corner and is very well used by families with children of all ages, having tennis courts, playground facilities, and also a community pavilion where toddler groups and after school clubs are held.

c) The Meersbrook United Reform Church is also in the nearby vicinity and is a popular place of religious worship. A regular and well attended toddler group is also held here.

I urge you to stick to your own policy, and to not grant this licence.

Yours,

B 22

From: [REDACTED]
Sent: 16 October 2014 21:43
To: Licensing(General)
Subject: Objection to application

Dear Sir/Madamm

I would like to object to the application of 47-49 Chesterfield Road, Sheffield, S8 0RL to be a Sex Shop. It would contain materials degrading to women and does not reflect the family character of the area.

Yours sincerely

[REDACTED]

B 23

[REDACTED]

From: [REDACTED]
Sent: 16 October 2014 22:11
To: Licensing(General)
Subject: 47-49 Chesterfield Road

Dear Sirs,

I wish to register my objection to the application which has been submitted by the Naughty Company to open a licensed sex shop at 47-49 Chesterfield Road, Sheffield. The shop is on a main arterial road and therefore would be seen by a high volume of people, both from road vehicles and pedestrians. It would make me, as a woman, feel vulnerable and uncomfortable walking near the shop due to the expectation that it would attract undesirable customers.

I am particularly unhappy that young children will be walking/driven past the shop as the shop is close to three primary schools (Anns Grove, Meersbrook Bank and Carfield primary schools). I travel past the Naughty Company shop in Attercliffe and some of their products are on display in the shop window (and, may I say, poorly displayed). This is highly inappropriate for young people to be seeing. Allowing this company to trade on Chesterfield Road and exposing young people to the products in the window would be condoning 'normalising' of the sex industry.

The area has been undergoing a resurgence in recent years with the Sheffield Antiques Quarter, Heeley Millennium Park and Ponsfords enlarging their premises, and I feel that to allow Naughty Company to trade in the area would deter other businesses from investing in Heeley.

I again register my objection and ask that you turn down the application.

Yours,

[REDACTED]

B 24

[Redacted]

From: [Redacted] (CEX) on behalf of licensingservice
Sent: 14 October 2014 11:13
To: [Redacted] (CEX)
Subject: FW: sex shop on chesterfield road

From: [Redacted]
Sent: 15 October 2014 16:47
To: licensingservice
Subject: sex shop on chesterfield road

To whom it may concern

I am writing to object to the opening of a sex shop at 47-49 Chesterfield Road, Sheffield. I live nearby (on Meersbrook Park Road) and often walk along Chesterfield Road. I would find it offensive and degrading as a woman to have to pass this sex shop regularly. I would be concerned and fearful about the men who frequented it. I believe such a shop would have a detrimental impact on the atmosphere and character of this local area, which is full of young families. As well as very many women, I am sure it would offend the local Muslim community.

This sort of establishment is making a profit out of the degradation of women. I am horrified that there will be 'an all girl team to test our sex toys before you buy'. Is this a brothel by any other name? I am not a prude, I am a woman who has fought all her life to be free of sexism.

I hope Sheffield City Council will take on board the strong objections of the many people who feel the same as I do and refuse this application.

Best wishes
[Redacted]

[REDACTED]

From: [REDACTED]
Sent: 12 October 2014 17:25
To: licensingservice
Subject: adult shop on chesterfield road

I am a member of the private Facebook group called "Only in Meersbrook" where someone posted today that there has been a notification sent to some people who live very close to Chesterfield Road that there is an adult shop wanting to open on Chesterfield Road.

I would like to let you know that I fully support the application and would welcome a business occupying one of the units on this road. The business would bring jobs into the area, would pay rates/taxes and would definitely be better than having a derelict unit on the road.

Thanks for registering my support for the business.

[REDACTED]

From: Mcdonald Cate (LAB-CLLR)
Sent: 16 October 2014 14:01
To: licensingservice
Cc: Jones Steve (LAB CLLR); Rippon Tim (LAB-CLLR)
Subject: 47-49 Chesterfield Road

Dear Steve

I am writing on behalf of the 3 Gleadless Valley Councillors to register an objection to an application for a Sex Shop Licence at the above location.

This is not a suitable location for a sex shop. Meersbrook is a residential area and this part of Chesterfield Road is currently family friendly. Over the past few years new cafes, restaurants and takeaways have opened up to serve the local community. For example, The Bhaji Shop and Thai Café is a newly opened family restaurant just two doors away from this location. A sex shop would have a detrimental effect on the area and also on the family friendly businesses.

This location is immediately opposite a bus stop. There is also a well-used local park as well as churches and schools within close proximity.

Please keep us informed about the progress of this application.

Yours Sincerely

Cate McDonald
Councillor for Gleadless Valley Ward (Labour)
Chair of Economic and Environmental Wellbeing Scrutiny Committee
0114 273 5588 (office)

Appendix C

Invitations to attend the hearing.
Hearing Procedures.

SHEFFIELD CITY COUNCIL

C1

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982
Sex Establishment Licence – 47 -49 Chesterfield Road Sheffield S8 0RL

IMPORTANT: NOTIFICATION OF A LICENSING SUB COMMITTEE HEARING

To: Paul Darker (Applicant)

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Sex Establishment

I refer to the above and to the application for the grant of a Street Trading Consent submitted by you for Premises detailed above.

This matter has been referred to the Licensing Sub Committee of Sheffield City Council for determination; the reasons for the referral are set out in the report to the Board. Which you have been provided a copy of.

The Licensing Sub Committee has the authority to decide to grant or refuse a licence in relation to the consent. You may, if you so wish being the applicant, make representations to the Board either verbally or in writing, or by both methods.

The meeting will take place on the 10th November 2014 in a Committee Room of the Town Hall, Sheffield (Pinstone Street entrance) and commences at 10am.

I would be grateful if you could inform my Licensing Service as to whether you will be attending the hearing.

Should you require any further information please contact my Licensing Service on number below or email licensing@sheffield.gov.uk

Steve Lonnia

Date: 24th October 2014

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Steve Lonnia
Chief Licensing Officer
Head of Licensing Services

IMPORTANT: A DECISION IS LIKELY TO BE MADE ON THIS ISSUE WHETHER YOU ATTEND OR NOT.

Licensing Service, Block C Staniforth Road Depot, Staniforth Rd, Sheffield, S9 3HD.
Telephone 0114 2734264

The Licensing Service Reception is open from 10am to 4pm, Monday to Friday. (except Bank Holidays)

SHEFFIELD CITY COUNCIL

C2

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982
Sex Establishment Licence – 47 -49 Chesterfield Road Sheffield S8 0RL

IMPORTANT: NOTIFICATION OF A LICENSING SUB COMMITTEE HEARING

To: [REDACTED]

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Sex Establishment

I refer to the above and to the application for the grant of a Street Trading Consent submitted by Paul Raymond Darker for Premises detailed above.

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I would be grateful if you could inform my Licensing General Section as to whether you will be attending the Board meeting.

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Steve Lonnia

.....
Steve Lonnia
Chief Licensing Officer
Head of Licensing Services

Date: 24th October 2014

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SHEFFIELD CITY COUNCIL

C3

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982
Sex Establishment Licence – 47 -49 Chesterfield Road Sheffield S8 0RL

IMPORTANT: NOTIFICATION OF A LICENSING SUB COMMITTEE HEARING

To: [REDACTED]

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Sex Establishment

I refer to the above and to the application for the grant of a Street Trading Consent submitted by Paul Raymond Darker for Premises detailed above.

This matter has been referred to the Licensing Sub Committee of Sheffield City Council for determination; the reasons for the referral are set out in the report to the Board. Which you have been provided a copy of.

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SEX ESTABLISHMENT LICENCE APPLICATION

SUB-COMMITTEE HEARING PROCEDURE

C7

This procedure has been drawn up to assist those parties attending Sex Establishment Licence Committee hearings.

1. The Chair of the Licensing Committee will introduce the Committee and ask officers to introduce themselves.
 2. The Chair will ask the applicants and interested parties to formally introduce themselves.
 3. The Chair to the Committee will outline the procedure to be followed at the hearing.
 4. Hearing Procedure:-
 - (a) The Licensing Officer will introduce the report.
 - (b) Questions concerning the report can be asked both by Members and the applicant.
 - (c) The applicant (or his/her nominated representative) will then be asked to:-
 - (i) detail the application;
 - (ii) provide clarification on the application and respond to the representations made.
 - (d) Members may ask questions.
 - (e) Objectors will be invited to present their representations. New representations must not be raised.
 - (f) Members may ask questions.
 - (g) The objectors will be invited to sum up. A maximum of 5 minutes will be allowed.
 - (h) The applicant will be invited to sum up. A maximum of 5 minutes will be allowed.
 - (i) The Licensing Officer will then detail the options.
 - (j) There will then be a private session for Members to take legal advice and consider the application.
 - (k) Once a decision has been reached, all parties will be invited to return. The Sub-Committee's decision and reasons will be announced by the Chair.
 - (l) The Sub-Committee's decision will be confirmed in writing to the applicant and those parties who made representations.
- NB:
- 1) At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.
 - 2) The Committee Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.