

REPORT OF CORPORATE DIRECTOR CITY DEVELOPMENT

**APPLICATION TO RENEW SEX ESTABLISHMENT LICENCE**  
**DELTA LOVE PRODUCTIONS, 147 RADFORD ROAD, NOTTINGHAM**

**1.0 SUMMARY**

1.1 This is an application to renew a sex establishment licence which was originally granted on 7 June 2001 and last renewed by the Licensing Committee on 28 July 2003.

**2.0 RECOMMENDATIONS**

**2.1 IT IS RECOMMENDED that the Committee determine the application having regard to the comments of the Corporate Director, Social Services.**

**3.0 BACKGROUND**

3.1 Mr Frank Turner held a sex establishment licence for the above premises from 17 December 1986 to 5 January 1989. An application to renew the licence which expired on 5th January 1989 was refused by the then Environment (Licensing) Sub Committee because the renewal of the licence would be inappropriate having regard to the character of the locality and the use to which premises in the vicinity are put'.

3.2 The premises were subsequently granted a sex establishment licence on 7 June 2001 for one year.

3.3 Frank Turner successfully applied for the renewal of the sex establishment licence in 2002 and 2003 in accordance with the Local Government (Miscellaneous Provisions) Act 1982.

3.4 The premises is situated within the heart of the Hyson Green shopping precinct and is directly opposite ASDA car park entrance/exit.

3.5 Residential properties are situated above Delta Love and adjacent properties. Access to all of these flats is via the rear of Radford Road.

3.6 The nearest local schools within the vicinity are Beaconsfield and Scotholme. Both schools are some distance away.

3.7 The window display has very few items for customers to browse, none of which are of a sexually explicit nature. The items are body oils, fluffy handcuffs and condoms in a simple packet. From the outside the property invites only adults to enter the premises. The outer door leads into a lobby which is monitored by a CCTV camera and the access to the shop is through a locked door. The CCTV camera remotely opens the door into the shop and no items on sale are visible from the lobby.

3.8 There are bus and tram stops in the area.

## **4.0 PROPOSALS**

- 4.1 Mr Turner has applied to renew his sex establishment licence and appropriate notice of application has been made in the Nottingham Evening Post and on the premises.
- 4.2 No objections have been received but Assistant Director of Social Services, children and families, has indicated that their comments remain the same as those expressed for the renewal application in 2002 and 2003 and are attached at Appendix 1.
- 4.3 The applicant has been invited to attend the meeting and the location of the premises is shown on the attached map.
- 4.4 Standard conditions for sex establishment licences are also attached.

## **5.0 LEGAL IMPLICATIONS**

- 5.1 The Committee has a limited discretion as to whether to grant or renew a sex establishment licence. The Local Government (Miscellaneous Provisions) Act 1982 lays down specific provisions as to the grounds upon which a refusal can be made.

The Act specifically prohibits the granting of a licence to:-

- ◆ any person under the age of 18;
  - ◆ a person who has had a sex establishment licence revoked within the last 12 months;
  - ◆ a person who has not lived in the U.K for the 6 months prior to the application being made;
  - ◆ a company not incorporated in the U.K;
  - ◆ a person who has been refused a licence in the last 12 months, (either on initial grant or renewal,) in respect of the application premises.
- 5.2 The Committee can only refuse a licence on the following grounds:-
- ◆ that the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
  - ◆ 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;
  - ◆ that the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for that locality;
  - ◆ 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 in respect of which the application is made.
- 5.3 Particular regard should therefore be had to the above matters when considering the application.

## **6.0 EQUAL OPPORTUNITIES**

None

## **7.0 List of background papers other than published works or those disclosing confidential or exempt information**

- ◆ Application dated 10 July 2004
- ◆ Memo from Corporate Director Social Services dated 21 July 2004
- ◆ Letter from Nottinghamshire Police dated 30 July 2004

## **8.0 EQUAL OPPORTUNITIES IMPLICATIONS**

None

## **9.0 COPYRIGHT ACKNOWLEDGMENT**

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**CORPORATE DIRECTOR**  
**CITY DEVELOPMENT**

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9 August 2004

SG/MMO  
Sue Gregory  
(0115) 915 51779

10<sup>th</sup> July 2002

Tim Coulson  
Food and Licensing Department  
Lawrence House.  
Nottingham

York House  
2<sup>nd</sup> floor  
Mansfield Road  
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NG1 3NS.

**Re: License Application – Sex Shops – 147 Radford Road, Nottingham.**

Nottingham City has a well-established multi-agency approach to tackle the Sexual Exploitation of Children. The partnership between City Council Departments, Nottinghamshire Police, Health and the Voluntary Organisations has won national recognition, influencing new Government guidance, for its work, particularly in relation to children involved in prostitution.

Nottingham has a defined, known “red light” or “vice area” which runs from Alfreton Road along Forest Road to Woodborough Road and surrounding areas. The majority of girls involved in prostitution are found in this area. The partnership has worked hard to prevent children becoming involved in prostitution and established systems to identify and intervene early with those children at risk. Evaluation has shown that 85% of children identified over the last four years have successfully exited the lifestyle with a significant reduction seen in the “new” girls being involved. Local and national research has found that the majority of adult women involved in prostitution first became involved as children.

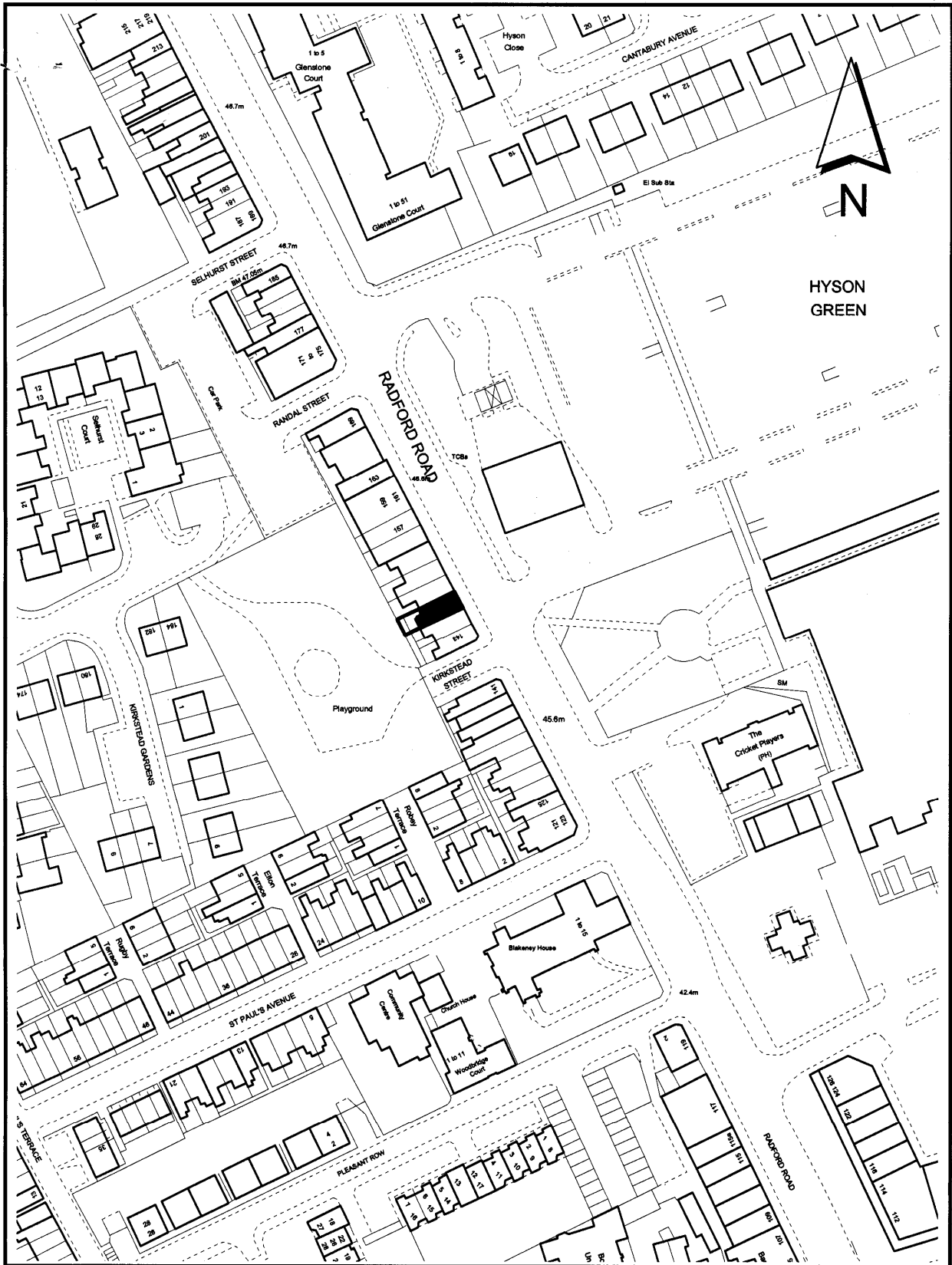
It is therefore hoped that the work with children will have a longer-term impact on the number of adult women ‘working’ in prostitution.

The City’s community safety strategy has a section on adult prostitution. All agencies continue to work with the police to tackle related crimes including targeting kerb crawlers and pimps. National research would indicate a high correlation between prostitution and other crimes including drugs related and violent offences. Experience and research has shown that many adult women working in prostitution and other activities related to the “Sex Industry” are themselves vulnerable with the majority experiencing childhood abuse with many continuing to suffer violence in adult relationships.

Prostitution is one aspect of the "Sex Industry". Research and local experience indicates evidence of inter-relationships between different aspects. For example adults seeking to sexual exploit children, and vulnerable adults, through prostitution may also use indecent images in books, videos or on computer either to satisfy their own "needs" and/or as part of engaging and abusing others.

Some adults who sexually abuse children in their own families or communities are also found to use similar materials. The Area Child Protection Committees definition of Sexual Abuse includes the use of, and exposure to indecent images (pornography) as a form of sexual abuse of children.

*Sue Gregory*



147 RADFORD ROAD

SK5541SE

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Scale  
1:1250

Initial  
PG

Date  
JUNE  
2002

Drawing  
No  
535



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## STANDARD CONDITIONS OF LICENCES FOR SEX ESTABLISHMENTS

1. No-one shall be admitted to the premises who is, or appears to be, under the age of 18.
2. The Licensee or some responsible person nominated by him in writing for the purpose shall be in charge of and present on the premises while they are open to the public.
3. No change from a sex shop to a sex cinema or vice versa may be made without prior consent in writing of the City Council.
4. There shall be maintained to the satisfaction of the City Council in all windows of the licensed premises a window display which shall not include any sex articles or other indecent matter.
5. No sex articles shall be so displayed within the premises as to be visible to passers by, whether the doors are open or closed.
6. For the purposes of conditions 4 and 5 "sex articles" has the meaning assigned to it in paragraph 4 of schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.
7. No person under the age of 18 shall be employed on the premises.