

**REPORT OF CORPORATE DIRECTOR OF COMMUNITIES
APPLICATION FOR RENEWAL OF A SEX ESTABLISHMENT LICENCE
DELTA LOVE PRODUCTIONS, 147 RADFORD ROAD, HYSON GREEN,
NOTTINGHAM, NG7 5EH.**

1.0 SUMMARY

- 1.1 This application is for a renewal of a sex establishment licence for premises at Delta Love Productions, 147 Radford Road. The application was received on 30 May 2013, a copy of the application is attached to the report.

2.0 RECOMMENDATIONS

IT IS RECOMMENDED that the Committee determine the renewal application.

3.0 BACKGROUND

- 3.1 These premises have been licensed as a sex shop since 1986. The current licence is due to expire on 27 July 2013 and is attached at Appendix 1.
- 3.2 The renewal application has been advertised in accordance with the legislative requirements in the Nottingham Evening Post and exhibited on the premises. There has also been consultation with Ward Councillors (including those of the immediately adjacent wards,) Police, The Chief Fire Officer, Social Services, Trading Standards, Planning and the Health & Safety Officer. A copy of the application is attached at Appendix 2. No objections have been received to the application.
- 3.3 Delta Love Productions, 147 Radford Road is situated in a row of shops. There are residential properties behind the shop, but not close to the premises. There are no schools in the vicinity. A map showing the location of the premises is attached at appendix 3.
- 3.4 No compliance issues or complaints have been reported to the Licensing Section relating to these premises.

4.0 FINANCIAL IMPLICATIONS

None

5.0 LEGAL AND POLICY IMPLICATIONS

5.1 Each application should be determined on its own merits. However applications may only be refused on certain defined mandatory or discretionary grounds.

5.2 Mandatory grounds

The Council must refuse an application if:-

- The applicant is under 18 years of age; or
- The applicant has been disqualified from holding a licence under Schedule 3 paragraph (17)(3) of the Act following revocation of a previous licence; or
- The person applying is not a resident of the UK, or was not resident during the six month period preceding the date of the application; or
- Where a company is the applicant it is not incorporated in the United Kingdom; or

The applicant has been refused a licence for the same premises within the preceding 12 months unless the refusal has been reversed on appeal.

5.3 Discretionary grounds

The Council may refuse an application for the grant or renewal of a licence if:-

- The applicant is unsuitable to hold the licence by reason of conviction of an offence or for any other reason: or
- The business would be managed or carried on for the benefit of a person other than the applicant who would be refused the licence if they made the application themselves: or
- The number of sex establishments, or sex establishments of a particular type, in the relevant locality at the time the application is made is equal to or exceeds the number which the Council considers appropriate for that locality: or
- The grant or renewal of the licence would be inappropriate, having regard to:-
 - (i) the character of the relevant locality, or
 - (ii) the use to which any premises in the vicinity are put, or
 - (ii) to the layout, character or condition of the premises to which the application applies.

5.4 On 17 January 2011 this Committee adopted a policy on Sex Establishments, The following sections of the Council's Policy may be relevant:

Section 4.4 -Suitability of the Applicant

The applicant will be required to demonstrate that he/she is a suitable person to hold a licence. In determining suitability, the Council will normally take into account:

- previous knowledge and experience of the applicant;
- information relating to the operation of any existing/previous licence held by the applicant, including any licence held in any other local authority area;

- information about the applicant and their management of the premises received from objectors, Council Officers or the Police including any known criminal convictions or cautions the applicant, or officers of any corporate applicants may have;
- any other relevant information.

The above factors are not an exhaustive list of considerations but are merely indicative of the types of factors which may be considered in dealing with an application. Similar considerations may also apply to persons whom it is alleged would benefit from the grant of the application but would be unsuitable to hold the licence themselves. In such cases the Council will also have regard to any evidence to show that the business would in fact be carried on for their benefit.

Section 4.5 -Character of the Relevant Locality and use of other premises in the vicinity

The Council will not grant or renew a licence for a Sex Establishment if, in the Council's opinion, it would be inappropriate to do so with regard to the character of the Relevant Locality or if the appropriate number of Sex Establishments, (or of a particular type of Sex Establishment,) in that Locality would be exceeded. Whilst not intended to be an exclusive list, the Council will have particular regard to the following matters:-

- The proximity of residential premises, including any sheltered housing and accommodation for vulnerable people;
- The proximity of educational establishments;
- The proximity of places of worship;
- Access routes to and from schools, play areas, nurseries, children's centres or similar premises in proximity to the premises;
- The proximity to shopping centres;
- The proximity to health facilities, community facilities/halls and public buildings such as swimming pools, leisure centres, public parks, youth centres/clubs, etc;
- Any planned or proposed regeneration of the area.
- Any relevant planning considerations such as whether the premises are in a Conservation Area or areas designated as primarily residential or prime retail frontage;
- Any complaints or reports of nuisance, disturbance, crime and /or disorder caused by or associated with the premises
- The proximity of other Sex Establishments

Many of these issues will also be relevant when considering the uses to which other premises within the vicinity are put.

Section 4.6 -Layout, Character and Condition

The Council will not grant or renew a licence for a Sex Establishment if, in the Council's opinion it would be inappropriate having regard to the layout, character and condition of the proposed Sex Establishment. Whilst not intended to be an exclusive list, the Council will have particular regard to the following:-

- The type of activity to which the application relates;
- The days and hours of operation of the Activity;

- The layout and condition of the premises with particular concern for public safety, health and safety and the prevention of crime and disorder

Section 4.8 – Conditions

Any licence granted by the Council, shall be subject to the relevant standard conditions (unless the Council determines to the contrary,) and to any special conditions which the Council imposes.

- 5.5 If the application is granted the licence will be subject to the standard conditions which are attached at Appendix 4 unless the Committee agrees otherwise. In addition the Committee has the power to attach further conditions or restrictions as it feels appropriate and this includes the power to determine operating hours for the premises.

6.0 EQUALITY AND DIVERSITY IMPLICATIONS

None

7.0 STRATEGIC AIMS

- **Creating a more attractive place to live, work and visit.**
- **Making Nottingham a safer city** – Working with communities and partners to reduce crime and fear of crime and promoting community safety.

8.0 CRIME AND DISORDER ACT IMPLICATIONS

Close partnership working between the City Council, applicants, the local community and enforcement agencies is key to the successful delivery of the licensing regime. A key aim of the City Council is to reduce the risk of crime and disorder occurring in local neighbourhoods and the community in general.

9.0 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

- Memo from Compliance Officer dated 7 June 2013

10.0 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009.

Sex Establishment Nottingham City Policy & Procedures.

11.0 COPYRIGHT ACKNOWLEDGEMENT

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**ANDREW ERRINGTON,
DIRECTOR COMMUNITY PROTECTION
CENTRAL POLICE STATION, NORTH CHURCH STREET, NOTTINGHAM
NG1 4BH**

Contact Officer: Zoey Mayes
Telephone number: 0115 876 1756
email: zoey.mayes@nottinghamcity.gov.uk
Legal Observations by: Ann Barrett
Telephone number: 0115 876 4411
email: ann.barrett@nottinghamcity.gov.uk

Appendix 1

**Communities
Licensing
Derwent Building
Eastcroft Depot
London Road
Nottingham
NG2 3AH
Tel: 0115 87 61751
Fax: 0115 915 2118**

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

LICENCE FOR SEX ESTABLISHMENT

NOTTINGHAM CITY COUNCIL hereby grant to **Robert Derek Gleedwood**
of **147 Radford Road, Hyson Green, Nottingham NG7 5EH**

this licence to use the premises situate at **Delta Love Productions, 147
Radford Road, Hyson Green, Nottingham NG7 5EH**
for the purpose of a **Sex Shop**

This licence shall continue in force from **28 July 2012 until 27 July 2013** or
until sooner revoked and is granted subject to the conditions imposed by the
City Council
set out below.

Signed

Dated: 18 June 2012

Licensing Manager

STANDARD CONDITIONS

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 article" 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.

**NOTTINGHAM CITY COUNCIL
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

**APPLICATION FOR GRANT, RENEWAL, TRANSFER OR VARIATION OF SEX ESTABLISHMENT
LICENCE**

This application is for (please tick):-

- ☐ New Licence ☒ Renewal ☐ Transfer ☐ Variation
- ☐ Premises ☐ Stall ☐ Vessel

Before completing this form, please read the accompanying notes.
Applicants should complete either section A or B, and all applicants must complete Sections C and D and E.

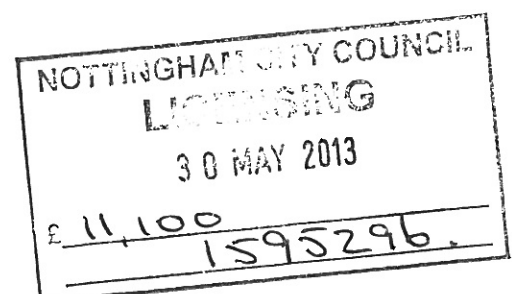
Please attach additional details to your application if there is insufficient room on this form.

(A) Individual applicants

1. Full name..... ROBERT DEREK GLEEDWOOD.....
 2. Former names..... NONE.....
 3. Home Address..... 147 RADFORD ROAD, HYSOON GREEN
NOTTINGHAM N97 5EH.....
 4. Address to which communications are to be sent..... 147 RADFORD ROAD
HYSOON GREEN, NOTTINGHAM, N97 5EH.....
- Daytime telephone number..... 0115 8459831.....



**Nottingham
City Council**



5. Daytime telephone number.....
6. Date of birth.....14. 09. 1962.....
7. Place of birth.....NOTTINGHAM.....
8. How long have you been resident in the UK?.....50 YEARS.....
9. Have you ever been convicted of an offence or received a formal caution?
YES/NO 1

If YES, please give
details.....

.....

10. Are you a member of or officer of any Companies involved in the sex industry?
YES/NO

If YES, please give full name, registered office and Company registration number for all companies in which you are involved and indicate whether you are an officer of the Company (Director, Secretary, Manager etc) and/or if you are a shareholder. Please also indicate if you are the controlling shareholder.

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Have any of the above Companies ever been convicted of an offence or received a formal caution? 2

YES/NO

If YES, give details

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(B) Application from Companies or partnerships

1. Name of Company or partnership..... DELTA LOVE
 Name of contact officer..... ROBERT DEREK GLEEDWOOD
2. If a Company, is it incorporated in the UK? PARTNERSHIP **YES/NO**
 If yes, give registration number..... N/A
 Date when incorporated..... JUNE 2006
3. Daytime telephone number..... 0115 845 9831
4. Registered or principal office address..... 147 RADFORD ROAD
HYSON GREEN, NOTTINGHAM, NG7 5EH
5. Trading address if different from registered or principal address /
/
6. Details of all directors, Company Secretary or partners (continue on separate sheet if necessary)

Name	Date of Birth	Private Address	Details of convictions/cautions	Position in company
DAVID EDWARD GLEEDWOOD	17/1/65	12 KEW GARDENS NUTHALL NG16 1R9	NONE	PARTNER
NO		OTHER	PERSONS	

7. Details of other persons with controlling interests in the Company (continue on separate sheet if necessary)

Name	Date of Birth	Private Address	Details of convictions/cautions	Position in company
	NO	OTHER	PERSONS	

8. Details of Manager of premises

Name	Date of Birth	Private Address	Details of convictions/cautions
ROBERT DEREK GLEEDWOOD	4/9/62	147 RADFORD ROAD HYSON GREEN NOTTM N97 5EH	NONE

9. Is the applicant a wholly or partly owned subsidiary of another Company?

NO

- (a) What type of Company is the applicant (e.g public or private limited by share or guarantee etc)

SOLE TRADERS / PARTNERSHIP

10. Is the applicant or any person named in the answers given to questions 6, 7 and 8 above concerned in any way financially or otherwise with any other business connected with the sex industry? (Please tick)

Yes ☐ No ☒

11. If "yes" give the names of the persons concerned, full details of the other business and the nature and extent of the connection. Continue on a separate sheet if necessary

12. Has the applicant company or any of the persons named in the answers given to questions 6, 7 and 8 above ever been convicted of an offence or received a formal caution? ¹ ~~YES~~/NO



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If YES, give details (continue on a separate sheet if necessary)

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.....
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1 You do not need to disclose convictions which are spent under the terms of the rehabilitation of offenders Act 1974

(C) Premises/Stall/Vessel to be licensed

1. Is the application in respect of (**Please tick**) Sex Shop ☒
Sex Cinema ☐
Sexual Entertainment Venue ☐
2. Trading name of premises/stall/vessel... DELTA LOVE
3. Address of premises/stall/vessel... 147 RADFORD ROAD
HYSON GREEN, NOTTINGHAM, NG7 5EH
4. What is the nature of the applicant's interest in the premises? **Please tick**
Freehold ☒ Other ☐
Leasehold ☐
- Does the applicant hold a licence to occupy the premises/stall/vessel? **YES/** ☒
5. Give names and addresses of all freehold owners
ROBERT DEREK GLEEDWOOD
DAVID EDWARD GLEEDWOOD
.....
.....

6. If the applicant's interest in the premises is a leasehold one, please state

(i) Whether a head lease or an underlease..... NO

(ii) (a) The name and address of the landlord..... NONE

(b) The name and address of the superior landlord (where applicable)

..... ROBERT DEREK GLEEDWOOD

7. Give names and addresses of any other person with an interest in the premises

..... NONE

8. Give details of any other person with an interest in the goodwill of the business

..... NONE

9. Are the whole of the premises to be used under the licence? (**Please tick**)

Yes ☐ No ☒

If "no", please state

(a) which part of the premises is to be used for the purposes of the licence

..... GROUND FLOOR SHOP ONLY

(b) the use to which the remainder of the premises are put.....

..... PRIVATE OWNER'S FLAT

(c) the names of those who are responsible for the management of the remainder of the premises.....

..... THE OWNER ROBERT DEREK GLEEDWOOD

10. Are the premises which are to be used for the purposes of the licence constructed or adapted as to permit access to and from the premises for members of the public who are disabled?

Please tick Yes ☒ No ☐

11. If the answer is "no" please state (on a separate sheet) the applicant's proposals for such access.

12. Are the premises, vehicle, vessel or stall in use as a sex establishment at the date of this application.

Yes ☒ No ☐

13. If yes, give the name and address of the persons or body who now operate the business, and (where known), the date upon which the premises were first used as such.

Name	Address	Date
ROBERT DEREK GLEEDWOOD	147 RADFORD ROAD HYSON GREEN NOTTINGHAM, NG7 5EH	JUNE 2006

(D) Nature of the application

For New Applications, Renewals and Transfers

- 1 What hours do you intend to operate?
- | | |
|-----------|--------------------|
| Monday | 10.30 AM — 6.00 PM |
| Tuesday | 10.30 AM — 6.00 PM |
| Wednesday | 10.30 AM — 6.00 PM |
| Thursday | 10.30 AM — 6.00 PM |
| Friday | 10.30 AM — 6.00 PM |
| Saturday | 10.30 AM — 5.30 PM |
| Sunday | CLOSED |

- 2 How many staff do you intend to employ and in what roles?

TOTAL OF TWO STAFF
ROBERT DEREK GLEEDWOOD AND
DAVID EDWARD GLEEDWOOD FOR SALES
OF DVD'S, MAGS & MARITAL AIDS & TO MONITOR
THE PREMISES APPLYING COUNCIL RULES.



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- 3 For **sexual entertainment venues**, please give full description of the nature of the entertainment which you intend to provide. You should include copies of any "house rules" or codes of practice which you intend to operate to and any conditions which you intend to apply to your staff, business, or customers (continue on a separate sheet if necessary)

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For variations

- 4 Please give full details of the variation sought (continue on a separate sheet if necessary)

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For transfers

- 5 Please give details of existing licence holder

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(E) General

1. Outline the applicant's experience in running a sex establishment (as an individual or Company)

OVER SIX YEARS EXPERIENCE
RUNNING AND MANAGING DELTA LOVE AS
THE OWNER



2. Has the applicant ever had a Sex Establishment Licence which has been revoked?
YES/NO

If yes, give details surrounding revocation including date, revoking authority and reasons

.....
.....

3. Have you ever been refused the grant or renewal of a Sex Establishment Licence
YES/NO

If yes, give details surrounding refusal including date, refusing authority and reasons

.....
.....

I enclose:- (tick relevant boxes)

- ☐ The application fee for a new licence is £13,840 (payable in full on application and is non-refundable).
- ☒ The fee for the renewal of a licence is £11,100 (payable in full on application and is non-refundable)
- ☐ The fee for variation is £2,366 (payable in full on application and is non-refundable)
- ☐ The fee for transfer of a licence is £1,394 (payable in full on application and is non-refundable)
- ☒ 3 copies of plans of the premises

Please note that the level of fees are due review in April of each year. Prior to sending your application please contact us to obtain the current fee if you intend to apply after 1 April.

APPLICANTS ARE WARNED THAT ANY PERSON WHO, IN CONNECTION WITH AN APPLICATION FOR THE GRANT, RENEWAL, VARIATION OR TRANSFER OF A LICENCE MAKES A FALSE STATEMENT WHICH HE KNOWS TO BE FALSE IN ANY MATERIAL RESPECT, OR WHICH HE DOES NOT BELIEVE TO BE TRUE, IS GUILTY OF AN OFFENCE AND LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING TWENTY THOUSAND POUNDS (£20,000).



DECLARATION (tick relevant boxes)

- ☒ I declare that the information given above is true and complete in every respect.
- ☒ I confirm that I have served a copy of my application on the Chief Constable, Nottinghamshire Police, City Division Licensing Team, Riverside, Rennie Hogg Road, Nottingham NG2 1RX
- ☒ I confirm that I will advertise the application in accordance with the Act

Signature of applicant: R. Gledwood

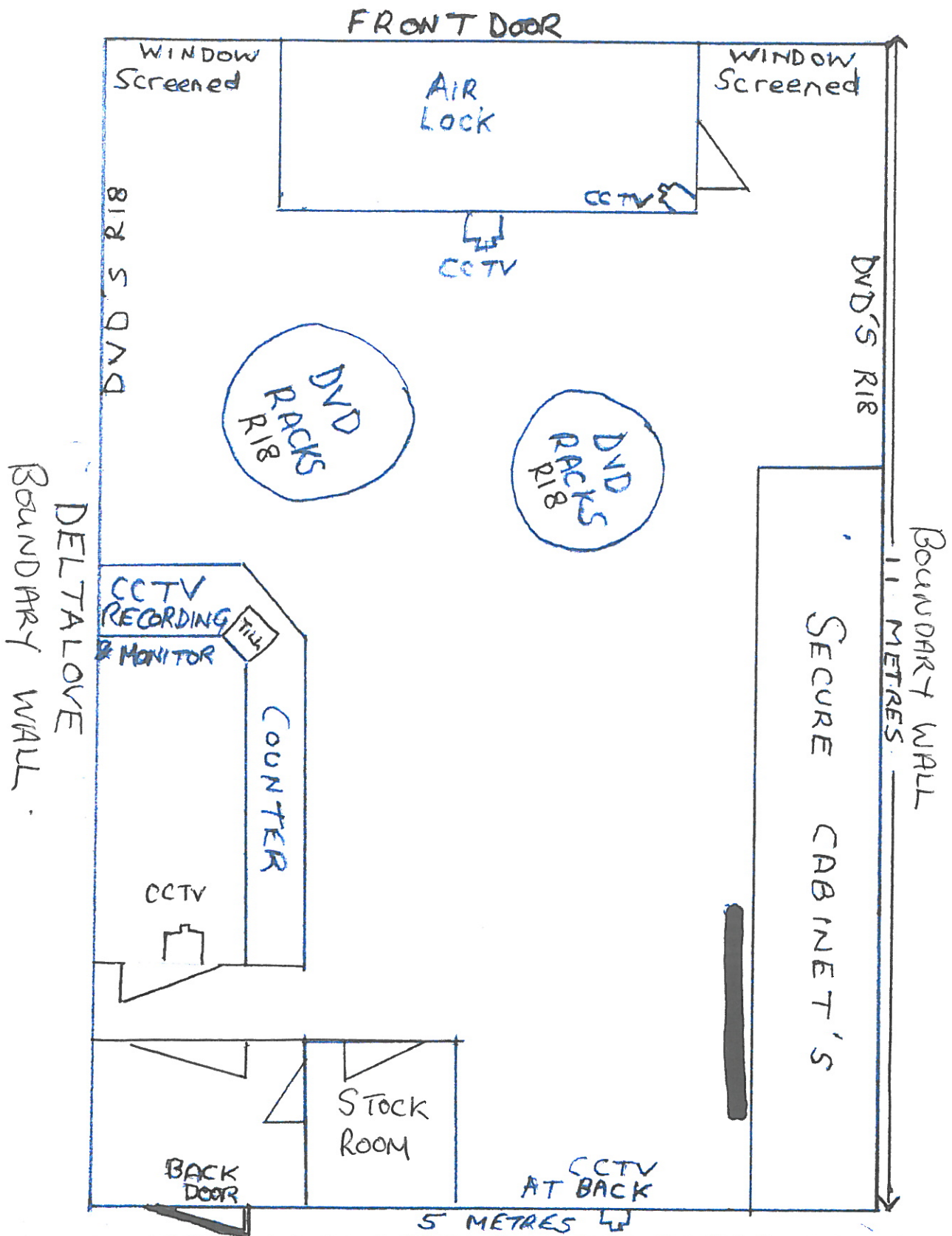
Date of application: 28 - MAY - 2013.

This application should be completed in full and returned to:-

The Licensing Officer
Communities
Licensing
Derwent Building
Eastcroft Depot
London Road
Nottingham
NG2 3AH

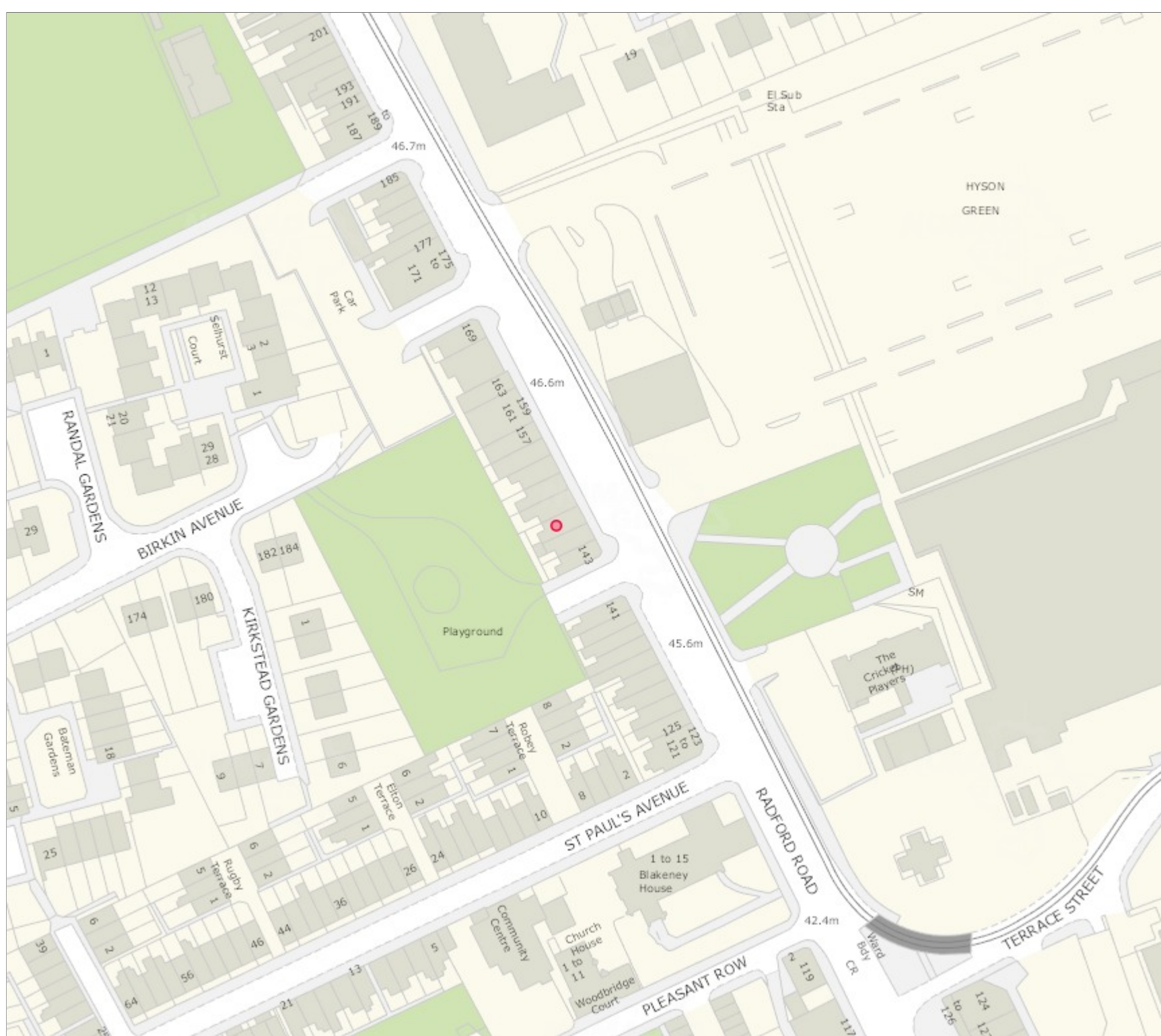


DELTA LOVE - GROUND FLOOR SHOP ONLY PART TO BE LICENCED.



GROUND FLOOR
PLAN

APPENDIX 3
Delta Love
Productions, 147
Radford Road, Hyson
Green, Nottingham
NG7 5EH



Notes

0 29.8 Meters



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Nottingham
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Printed at
14:49 28/06/2013

STANDARD CONDITIONS

SEX SHOPS & SEX CINEMAS

1. The Premises shall be maintained in accordance with the lay out plan attached to this Licence. Amendments to the layout of the premises and/or any structural or physical alteration must be approved by way of an application for variation of this licence unless otherwise agreed in writing by the Council
2. No-one shall be admitted to the premises who is, or appears to be, under the age of 18.
3. No person under the age of 18 shall be employed on the premises.
4. 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.
5. No change may be made from a Sex Shop to a Sex Cinema, or Sexual Entertainment Venue or vice versa.
6. A window display shall be maintained to the satisfaction of the Council in all windows of the Licensed Premises. Such display shall not include any Sex Articles or other indecent matter.
7. No Sex Articles shall be displayed within the premises as to be visible to passers by, whether the doors are open or closed.
8. For the purposes of these conditions “
 - The Council means Nottingham City Council
 - Sex Article has the meaning assigned to it in Paragraph 4 of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.
 - Sex Cinema has the meaning assigned to it in Paragraph 3 of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.
 - Sex Shop has the meaning assigned to it in Paragraph 4 of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.
 - Sexual Entertainment Venue has the meaning assigned to it in Paragraph 2A of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.