
SOUTHAMPTON CITY COUNCIL
LICENSING (GENERAL) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 29 November 2012

Present:

Councillors Cunio (Chair), Parnell, Lewzey and B Harris

Apologies

Councillors Mrs Blatchford and Vassiliou

1. **APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)**

The Sub-Committee noted that Councillor Harris was in attendance as a nominated substitute for Councillor Vassiliou in accordance with Council Procedure Rule 4.3.

2. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

RESOLVED that the Minutes of the Meeting held on 28th July 2011 be signed as a correct record. (Copy of the minutes circulated with the agenda and appended to the signed minutes).

3. **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED that the press and public, unless otherwise excluded by Category 4 of paragraph 10.4 of the Council's Access to Information Procedure Rules, be excluded from the meeting in respect of Item No 5 and be invited to return immediately following private session at which time the matter be determined and the decision of the Panel be announced.

4. **DECLARATION OF NEW AIR QUALITY MANAGEMENT AREAS (AQMA)**

The Sub-Committee considered the report of the Senior Manager for Planning, Sustainability and Transport recommending that four Air Quality Management Areas be extended and three new Air Quality Management Areas be approved by Order. (Copy of the report circulated with agenda and appended to the signed minutes)

RESOLVED that:-

- (i) the extension to the area of four Air Quality Management Areas at Bitterne Road, Romsey Road, Redbridge Road and Millbrook Road and the declaration of three new Air Quality Management Areas at Burgess Road, Victoria Road and New Road be approved, as set out in appendices 1 to 7; and
- (ii) authority be delegated to the Head of Legal, HR and Democratic Services to take all action necessary to give effect to the recommendations including the drafting, publication and confirmation of such Orders and other legal processes or documentation as may be required.

5. **APPLICATION TO VARY A SEX SHOP LICENCE - PRIVATE SHOP, GROUND FLOOR, 16 HANOVER BUILDINGS, SOUTHAMPTON, SO14 1JA**

The Sub-Committee considered the report of the Head of Legal, HR and Democratic Services regarding an application for variation of a sex shop licence in respect of Private Shop, Ground Floor, 16 Hanover Buildings, Southampton, SO14 1JA. (Copy of report circulated with the agenda and appended to signed minutes).

Mr Bown, Owner and Mr Nath, Darker Enterprises were present and with the consent of the Chair, addressed the meeting.

RESOLVED that:-

- (i) the application for variation of a sex shop licence in respect of Private Shop, Ground Floor, 16 Hanover Buildings, Southampton, SO14 1JA, be granted, subject to the following restrictions/amendments (reference to Items 1-8 on page 3 of the report):-
1. **Addition of address and telephone number to fascia board** - approved as applied.
 2. **Addition of location website to fascia board** – the website identified shall at no time advertise or display items for sale at the premises or elsewhere or contain any link to any other site and shall provide information regarding location/address of premises only.
 3. **Change of name on fascia board** – approved subject to a requirement that no lettering shall exceed 12 inches in height.
 4. **Change of style and colour of name on fascia board** – approved as applied.
 5. **Additional wording “Stockists of DVD’s, magazines, toys and lingerie”** – approved subject to the inclusion of the word “Adult” before DVD’s and removal of the word “toys”.
 6. **Wording “A great single and couple friendly store on window with silver background** – approved subject to the background being white rather than silver and removal of the wording on the window closest to the door with the wording as shown on the left window moved to the centre of the window.
 7. **Wording “Licensed Adult Centre” on window with silver background** – approved subject to white background.
 8. **One window to have mannequin dressed in lingerie with rear of display area blanked to prevent view of shop interior** – Refused. The window to the right of the door shall display a graphic/poster of a type, design and content to be approved by the Licensing Manager.

Note: 1, 2, 3 and 4 are approved subject to the background of the fascia board being white.

- (ii) In implementing the above decision, the Licensing (General) Sub-Committee delegates authority to the Head of Legal, HR and Democratic Services to approve conditions and amendment of the existing to achieve the above.

REASONS

The Sub-Committee noted the concerns that the proposed new frontage was not sufficiently discreet and appropriate to the character of the locality, likewise it considered carefully representations from the licence-holder regarding the locality of this particular premises and in particular the impact of closed shops nearby.

In making its decision the Sub-Committee paid careful attention to the impact of the proposed changes and the effect on the locality. In this respect it is stressed that the decision does not set a precedent but shows a careful consideration of the application on its own merits and the premises in its surrounding area.

By way of guidance to the Licensing Manager when assessing the appropriateness of the graphic/poster the Sub-Committee would stress that no nudity or mannequins be displayed, but images of a similar nature to that presented showing a couple in embrace are considered acceptable.