

Appendix B

Licensing complaint - officer action

What licence type is the complaint about?

Sex Establishments

Customer details:

[REDACTED]

[REDACTED]

Hastings

[REDACTED]

[REDACTED]

[REDACTED]

Details of the complaint

To whom it may concern: Here are my objections to Club XS's current licence renewal at the end of February 2020

The Sex Establishment Licence for Club XS should not be renewed in its current location, as the application is contrary to Hastings Borough Council's 'Statement of Policy in respect of Sex Establishments, Under the Local Government (Miscellaneous Provisions) Act 1982 as amended by Policing and Crime Act 2009'.

This objection is not made on moral grounds. It is on the grounds that renewing the licence would be contrary to sections 23 and 36 of the above policy statement.

Section 23 Objection

Section 23, part IV, lists the "discretionary grounds on which an application may be refused, namely

....

character of the relevant locality;

use to which any premises in the vicinity are put;"

Furthermore, section 28 specifies the types of premises whose character would render an area unsuitable for a Sex Establishment. These are:

"schools or other facilities frequented by children such as playgrounds and playgroups

cultural facilities such as museums, theatres and cinemas

facilities frequented primarily by women such as well woman clinics

places of worship

public leisure facilities such as leisure centres, parks and open spaces

community buildings such as community centres, libraries and drop in centres

places used by vulnerable persons such as hostels and other adult social care facilities

residential premises

hospitals and other medical facilities

other sex establishments"

The vast majority of the immediate area surrounding Club XS is made up of premises that make the character of the area unsuitable for a Sex Establishment. 99 of the 135 buildings within only 100m of the existing Club XS location are either residential, or partly residential premises (apartments above shops say). This equates to 73% of the buildings in the vicinity. A further 5 premises are community

buildings, places of worship, cultural facilities or places used by vulnerable persons, with Holmebury House containing 41 managed retirement apartments.

Since Club XS was first granted a licence in 2012, Rock House was redeveloped, this has brought further residential and community facilities to the area.

Since Club XS's last licence was granted in February 2019, The Observer Building began its transformation into a new, vibrant cultural hub, with 16 further residential apartments and a mixture of co-working and leisure spaces to be added. The first of these is due to open this summer.

The case for rejecting the licence application under section 23 has, therefore, become stronger since the first licence was approved, has become stronger since the last licence was approved and continues to become ever stronger.

Section 36 Objection

Section 36 of the statement says;

"All applicants should consider whether they meet relevant planning requirements before proceeding with an application for a sex establishment licence."

It may have been the case that when Club XS was first granted a licence, there was a great deal of dereliction in the area. This is no longer the case and Club XS is now hindering further regeneration and acting as a focus of dereliction.

The negative affect Club XS is having on the vicinity is perfectly illustrated by number 8 Prospect Place. This potentially beautiful Victorian house is sitting empty and derelict – its proximity to Club XS makes it unviable as a dwelling.

This is contrary to Hastings Borough Council's Planning Policy FA3, which states;

"In Hastings Town Centre we will:

..... i. improve the existing housing stock and quality of life for residents.

n. seek to reduce the number of long term empty homes."

The renewal of a Sex Establishment Licence for Club XS in its current location is, therefore, contrary to sections 28 and 36 of Hastings Borough Council's 'Statement of Policy in respect of Sex Establishments, Under the Local Government (Miscellaneous Provisions) Act 1982 as amended by Policing and Crime Act 2009'.

The application for the renewal of a Sex Establishment Licence for Club XS in its current location should therefore be refused.

I anticipate your response.

[REDACTED]
[REDACTED]
[REDACTED]

23.01.2020

From: [REDACTED]
Sent: 23 January 2020 17:51
To: Licensing
Cc: [REDACTED]
Subject: CLUB XS LICENCE RENEWAL

To whom it may concern: Here are my objections to Club XS's current licence renewal at the end of February 2020

The Sex Establishment Licence for Club XS should not be renewed in its current location, as the application is contrary to Hastings Borough Council's '*Statement of Policy in respect of Sex Establishments, Under the Local Government (Miscellaneous Provisions) Act 1982 as amended by Policing and Crime Act 2009*'.

This objection is not made on moral grounds. It is on the grounds that renewing the licence would be contrary to sections 23 and 36 of the above policy statement.

Section 23 Objection

Section 23, part IV, lists the "*discretionary grounds on which an application may be refused, namely*"

- *character of the relevant locality;*
- *use to which any premises in the vicinity are put;"*

Furthermore, section 28 specifies the types of premises whose character would render an area unsuitable for a Sex Establishment. These are:

- *"schools or other facilities frequented by children such as playgrounds and playgroups*
- *cultural facilities such as museums, theatres and cinemas*
- *facilities frequented primarily by women such as well woman clinics*
- *places of worship*

- *public leisure facilities such as leisure centres, parks and open spaces*
- *community buildings such as community centres, libraries and drop in centres*
- *places used by vulnerable persons such as hostels and other adult social care facilities*
- *residential premises*
- *hospitals and other medical facilities*
- *other sex establishments"*

The vast majority of the immediate area surrounding Club XS is made up of premises that make the character of the area unsuitable for a Sex Establishment. 99 of the 135 buildings within only 100m of the existing Club XS location are either residential, or partly residential premises (apartments above shops say). This equates to 73% of the buildings in the vicinity. A further 5 premises are community buildings, places of worship, cultural facilities or places used by vulnerable persons, with Holmebury House containing 41 managed retirement apartments.

Club XS Sex Establishment Licence objection

The Sex Establishment Licence for Club XS should not be renewed in its current location, as the application is contrary to Hastings Borough Council's '**Statement of Policy in respect of Sex Establishments, Under the Local Government (Miscellaneous Provisions) Act 1982 as amended by Policing and Crime Act 2009**'.

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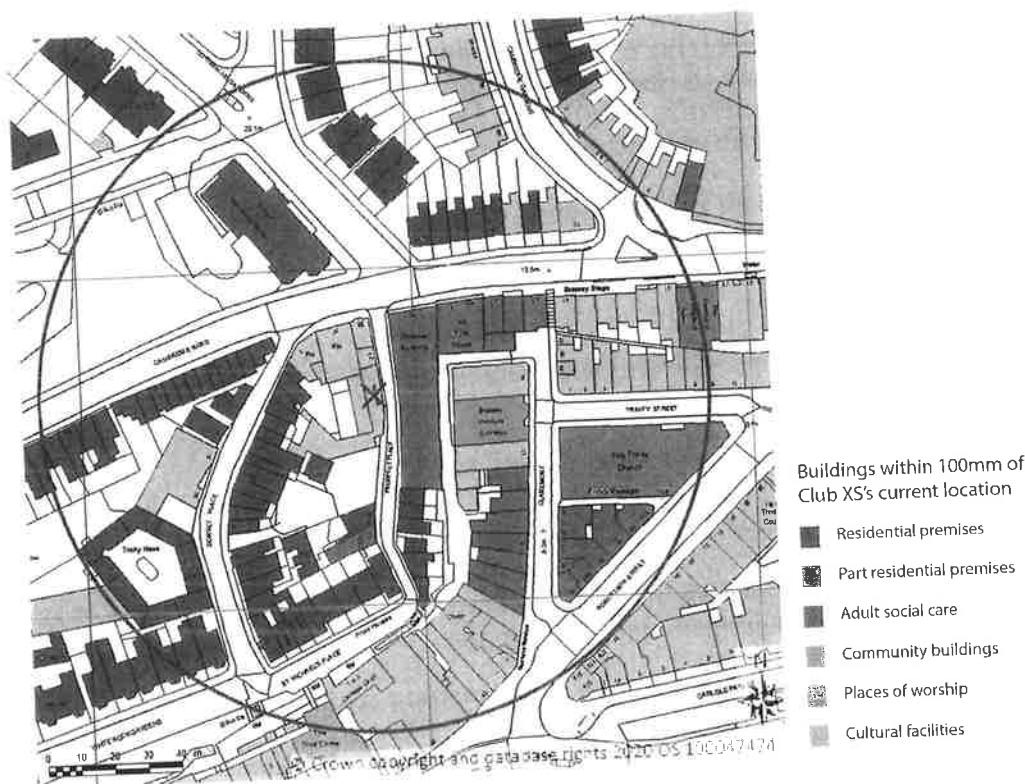
the grant would be inappropriate, having regard to the:

- character of the relevant locality;*
- use to which any premises in the vicinity are put;"*

Furthermore, section 28 specifies the types of premises whose character would render an area unsuitable for a Sex Establishment. These are:

- "schools or other facilities frequented by children such as playgrounds and playgroups*
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- public leisure facilities such as leisure centres, parks and open spaces*
- community buildings such as community centres, libraries and drop in centres*
- places used by vulnerable persons such as hostels and other adult social care facilities*
- residential premises*
- hospitals and other medical facilities*
- other sex establishments"*

As the enclosed map shows, the vast majority of the immediate area surrounding Club XS is made up of premises that make the character of the area unsuitable for a Sex Establishment. 99 of the 135 buildings within only 100m of the existing Club XS location are either residential, or partly residential premises (apartments above shops say). This equates to 73% of the buildings in the vicinity. A further 6 premises are community buildings, places of worship, cultural facilities or places used by vulnerable persons, with Holmebury House containing 41 managed retirement apartments and Rock House hosting the NHS youth mental health drop in service.



Since Club XS was first granted a licence in 2012, Rock House was redeveloped, this has brought further residential and community facilities to the area.

Since Club XS's last licence was granted in February 2019, The Observer Building began its transformation into a new, vibrant cultural hub, with 16 further residential apartments and a mixture of co-working and leisure spaces to be added. The first of these is due to open this summer.

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The negative affect Club XS is having on the vicinity is perfectly illustrated by number 8 Prospect Place. As the enclosed photo shows, this potentially beautiful Victorian house is sitting empty and derelict - its proximity to Club XS makes it unviable as a dwelling.

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"In Hastings Town Centre we will:

.....

- l. improve the existing housing stock and quality of life for residents.*
- n. seek to reduce the number of long term empty homes."*

The renewal of a Sex Establishment Licence for Club XS in its current location is, therefore, contrary to sections 28 and 36 of Hastings Borough Council's '*Statement of Policy in respect of Sex Establishments, Under the Local Government (Miscellaneous Provisions) Act 1982 as amended by Policing and Crime Act 2009*'. The application for the renewal of a Sex Establishment Licence for Club XS in its current location should therefore be refused.

Licensing complaint - officer action

What licence type is the complaint about?

Sex Establishments

Customer details:

[REDACTED]

[REDACTED]

Hastings

[REDACTED]

[REDACTED]

[REDACTED]

I would like to register my objection to Club XS on Prospect Place being allowed a licence as a sex venue in an area which is more than 70% residential, and indeed in contravention of the council's own rules regarding the location of such establishments. It should not have its licence renewed and I would like someone to respond directly to my complaint as soon as possible.

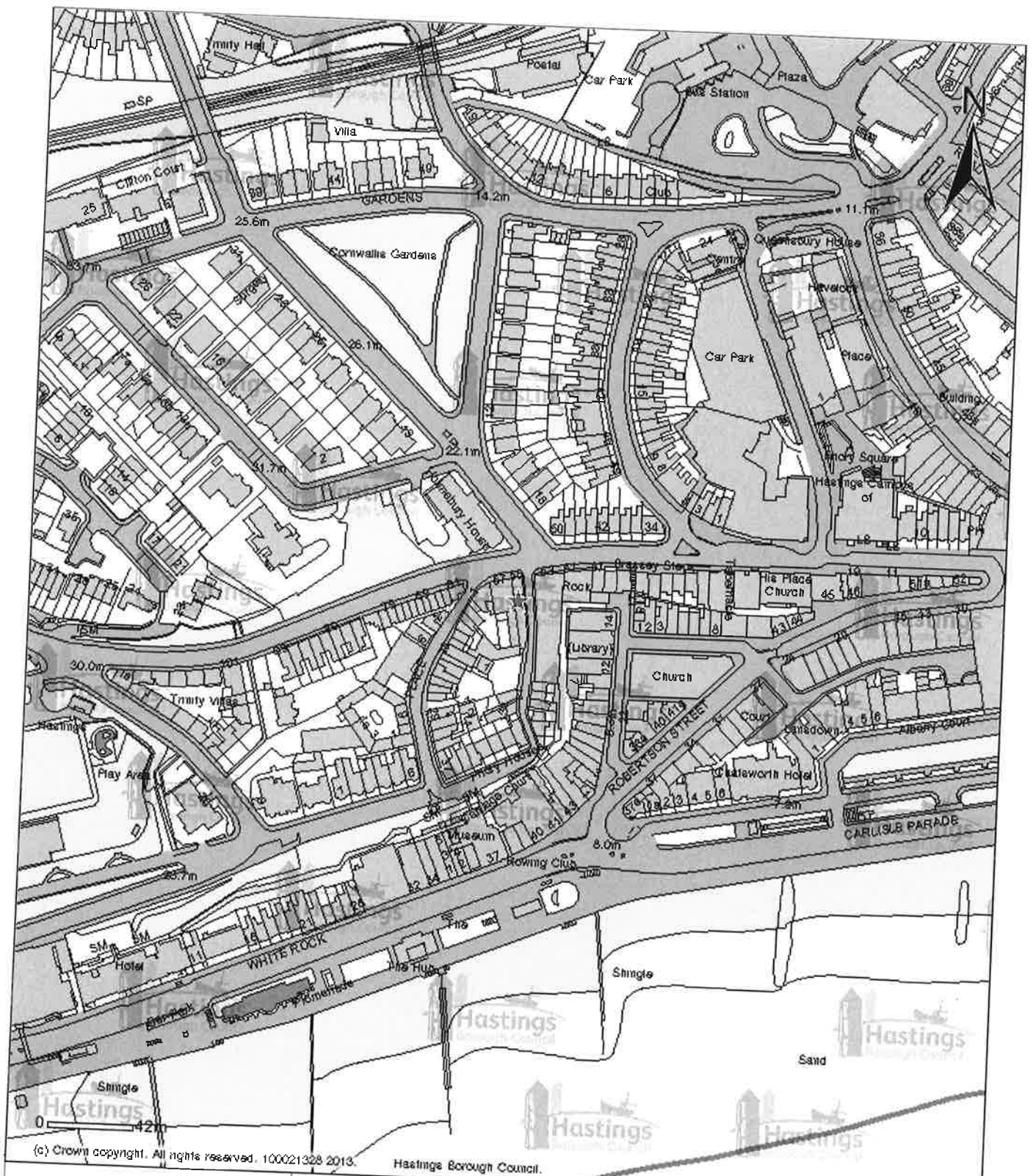
Best,

[REDACTED]

Complaint about Sex Establishments







Title:

Appendix B

Scale: 1:2500

Date: 2 / 3 / 2020

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