

## **MAIDSTONE BOROUGH COUNCIL**

### **LICENSING COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON 30 OCTOBER 2012**

**Present:** Councillor Parvin (Chairman), and  
Councillors Barned, Mrs Gibson, Mrs Gooch,  
Mrs Grigg, Mrs Hinder, Mrs Joy, B Mortimer, Naghi,  
Mrs Parvin and Yates

**Also Present:** Councillor McKay

60. APOLOGIES FOR ABSENCE

There were no apologies for absence.

61. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

62. NOTIFICATION OF VISITING MEMBERS

Councillor McKay was in attendance.

63. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

64. DISCLOSURES OF LOBBYING

Councillors Mrs Grigg and Naghi disclosed that they had been lobbied in respect of Agenda Item 7 – Application for Sex Establishment Licence for Tantric Blue, 9 Gabriels Hill, Maidstone.

65. EXEMPT ITEMS

RESOLVED: That the Items on Part II of the Agenda be taken in private as proposed.

66. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982,  
SCHEDULE 3 – APPLICATION FOR SEX ESTABLISHMENT LICENCE – FOR  
TANTRIC BLUE, 9 GABRIELS HILL , MAIDSTONE, KENT, ME15 6HL

The Committee considered the report of the Head of Democratic Services regarding an application for a Sex Establishment licence for 9 Gabriels Hill, Maidstone.

The Legal Advisor to the Committee outlined the order of considerations to be made, dealing with late objections received, to consider and determine

the application and, with regard to the Council's current policy, on determining the locality and appropriate number of sex establishments in the borough.

The Chairman requested those persons participating in the hearing to identify themselves, this included the Members of the Committee, the Head of Democratic Services, the Legal Advisor, the Committee Clerk, the applicant and his representative, and those making representations who wished to speak.

The Committee were informed that forty nine objections and 3 letters of support had been received outside the time during which members must have regard to them. However, Members had discretion to have regard to them having considered whether they were intentionally late, would cause any prejudice to the applicant, unreasonable disruption to Council business and any reasons given for lateness. 5 late objectors addressed the Committee and indicated that they had not heard about the application until after the 28 day period had passed and had not been intentionally late, they requested that members operate their discretion to admit late objections and hear from them. The applicant's representative indicated that no late objections had been received close to the cut off date and a number had been in the last week. He invited the Committee to draw a distinction and consider only the earlier ones, if any. He also said that Members were being asked for two things, firstly to consider the objections and secondly to allow those objectors to address the Committee by speaking, submissions and questioning witnesses. He asked that if admitted just the written objection be allowed. Members decided that they would have regard to all the objections and letters of support received late and hear any representations made by their authors who wish to speak, because in their view all information should be available to the Committee and there would be no prejudice to the applicant, who had received copies of these prior to the meeting and had the opportunity to deal with them.

All late objectors and/or their representatives were given an opportunity to state their case regarding the late objections. The applicant's representative stated that they would accept those objections received just after the closing date, but felt those received within the last week should not be considered. Having considered the statements made, the Committee agreed to accept all the late objections and letters of support received.

An application was made by Sir Tony Baldry MP of counsel, representing Players, an objector, on the basis that members should refuse this application without further need for hearing because, as a matter of fact, the premises fell within the relevant locality determined by members, on 22, October 2012, in relation to premises at 87-88, Bank Street, for which they found the appropriate number of Sexual Entertainment Venues ("SEVs") to be nil.

The applicant's representative argued that it was wrong for the representative of another venue to seek to remove the Committee's

discretion. There was a determination of a relevant locality and nil appropriate number for SEVs but each case should be considered on its own merits and Members should hear all the information good or bad and are entitled to do so. They may not agree nil is the appropriate number and he should be given the opportunity to persuade them otherwise indicating why this case is an exception and the reason why this case could be found appropriate.

The Legal Advisor to the Committee indicated that her advice would be that each case should be considered on its own merits at the time of the determination. Members have to take in to account the locality in the past case as a factor when considering this case but it is not the only factor. The ground referred to is a discretionary one. Locality can change over time and this is confirmed by case law. Locality can differ from Committee to Committee provided that there are good reasons. Whilst there should be consistent decision making members are not bound by previous decisions as precedent. No further comments were made by the parties.

The Committee considered this matter whilst retired to read admitted late representations and decided to hear the application. On returning to public session the decision was announced that Members would proceed to hear the application on the basis that each case should be considered on its own merits at the time of the decision. They accept that they need to take into account their previous decisions on locality as a factor when considering this case but that is not the only factor. Schedule 3, paragraph 12 c) is a discretionary ground and Members need to hear all the information on this case to operate their discretion. Locality can change over time and Members consider each case and come to a reasoned administrative decision on the facts in the case. The representatives of the parties will have the opportunity to make their submissions in due course.

The Head of Democratic Services briefly outlined the application received, his report and the objections received. He informed the Committee that the Applicant had offered to vary the hours of opening to take into account the hours of opening of the Mall Chequers Shopping Centre, not opening until after the centre closes, and that, with regard to the layout, this had now been varied, following concerns raised by Officers, to include CCTV cameras in the private booths. It had been established that changing rooms on the second floor would be locked and so that issue had been resolved.

The Applicant's representative then presented his case. He stated that the applicant had taken considerable time to find the most suitable location to invest in Maidstone and seek to put forward good reasons as to why the licence should be granted. He was aware that, although the postal address of the property was Gabriels Hill, the entrance to the property is from King Street which is just within the locality determined by the Committee the previous week and they sought to show the Committee reasons why this licence should be granted as an exception, irrespective of that nil determination. This in three respects; specific location, specific hours of operation and the operation itself could be such as to make it

appropriate to grant the application. The licence would be for one year and would have to justify itself for renewal each year.

In relation to the character of the premises and the vicinity, he felt that in this particular part of Maidstone, changes between the day time and the night time. He stated that King Street is a thoroughfare between Gabriels Hill and Bank Street which are both dominated by bars, clubs and other adult entertainment in the evening. It is proposed that the SEV is only open after the Mall Chequers Shopping Centre is closed and therefore he submitted that it would not adversely affect the character.

It was added that this specific location was chosen as the main entrance gates are situated some 10 metres back from the highway, and the entrance door a significant distance further through the gates and round the corner, with the Mall Chequers noticeboard also obscuring the view. When walking out of town the entrance would not be obvious. He accepted the premises are within the conservation area and there are listed buildings in Gabriels Hill but the layout of the building means that in Gabriels Hill it is on the first floor and therefore anyone walking along that street will only see the betting shop, Paddy Power at street level. The windows on the first floor facing Gabriels Hill will be obscured.

With regard to opening hours, he said the intention is to not open until at least 8pm and on the occasions when the Mall Chequers Shopping Centre is open until 8pm (normally in the run up to Christmas), it is proposed that it does not open until 9pm or later if the Committee require it. He stated that the premises would have quality decor and entertainment, product pricing, including the menu, would be for the top end of the market and that differentiation in price would control the customer type. Being priced at the higher end of the market will attract a more mature clientele. He explained who would manage the premises and their experience and also commended the evidence of Mr Murdoch, on the papers.

The witness for the applicant, Mr Tregidgo, then addressed the Committee. He said that they are looking to attract an older more established clientele to the area. The marketing will be very discreet and will work with Officers to ensure that any marketing material is approved beforehand. The marketing will be web based, not hand to hand on the street, targeting local businesses, corporate entertainment. They will not be promoting stag or hen parties.

The objectors, or their representatives, were then given the opportunity to ask questions of the witness and/or his representative.

In response to questions, the applicant's representative said they would employ approximately 35 staff on the busiest nights, there would be no signage visible from King Street and their marketing would be targeted, with flyers and cards which may be distributed to business people. It is not their intention to hand out flyers on the street to anyone passing. Their financial plan allows for a substantial period of time to build up customers.

Members of the Committee were then given the opportunity to ask questions of the witness and/or his representative.

In response to these questions, the applicant and/or his representative said that the pubs and clubs in Maidstone cater for the 18-25 year old market and they were offering something for the older clientele, they had spoken to local businesses and gained support from 34 businesses within the town centre. It was noted that the picture of the entrance to the premises was an artist's impression and not what it would look like in reality, it would not be possible to see through the doors/windows.

It was also stated that women would be able to join the club and would be encouraged to come along. Bookings can be taken by phone or over the internet as well as just turning up at the door and there will be a strict dress code.

Anne Marie Harris and Neil Culley were called to deal with residual questions that had arisen and confirmed that they currently have over 175 dancers on their books who travel all over the country with an age range over 19 to 44. They do not generally dance in their own area and that security staff would be SIA trained and the premises would have full CCTV facilities.

The meeting was then adjourned for an hour for lunch.

The applicant's representative then called a further witness, Mr Monty, with regard to his statement. Mr Monty explained that the £500,000 investment is broken down to £270,000 for the fit out costs, £200,000 working capital for the first 5 months of operation and £15,000 for the start-up marketing costs.

In response to questions, Mr Monty stated that it is believed that this market is not catered for in Maidstone. He was unable to give a further breakdown of the £15000 marketing budget.

Members had no questions of Mr Monty.

The objectors or their representatives were then given the opportunity to make their representations.

An objector, (p91 of the agenda), stated that this area of Maidstone attracted families at all times, including the evening. Along King Street there was the bowling alley, Burger King and Pizza Hut and a hostel for vulnerable teenagers was just round the corner. The objector felt the proposed location was inappropriate for these reasons and would cause irreparable damage to the town centre.

There were no questions for this objector.

Counsel for Players, called his witness Mr Pemble, the owner of Players which has an SEV licence. He stated that he had been in this industry for 10 years and had owned Players for 3½ years. He mentioned that there

were 6 other SEVs within a 20 mile radius of Maidstone and he welcomed this competition.

He stated that they had objected to this application as he did not think the proposed location was appropriate. He said that there was no market for the higher end clientele proposed, Players has a VIP area and this is only used by about 4 or 5 clients per week. The average spend is £70-£80 per customer. He added that they had offered food in the past, but there was no call for it as people did not eat at the hours the venue was open. On a busy Saturday he could have 100 – 120 customers but that varies on week days.

The applicant's representative then asked questions of the witness regarding the layout of Players, the range of seating available, the lack of a stage area, the number of shows put on during the evening ,the dress code of the dancers when they are not dancing and confirming the club does distribute flyers.

In response to questions from Members, the witness stated that the average age range at weekends was 20-28 and during the week it would be slightly higher. Asked whether at their busiest time they turn people away he confirmed that in the last 3 years people queued for 20 minutes last Christmas only. He also confirmed that they charge an entry fee.

Mr Simons, Counsel for an objector, addressed the Committee regarding the previous decision, stating that each decision is made on its own merits but that the Committee, if deciding to grant this application, will need to think very carefully about reasons if they depart from the previous decision. In his view they have no reason to do so as the locality and its characterisation are the same.

With regard to character, he made the following points:-

- Access to the proposed club from King Street is adjacent to The Mall Chequers and although there may be no direct visibility the risk is that it is not known what their advertising proposals are.
- Closing Times – Pizza Hut is directly opposite the entrance and open until 9pm most week nights as well as other family orientated restaurants and the bowling alley.
- There are a variety of places of worship nearby, residential premises and a variety of other licensed premises and consideration should be given to those residents with regard to the increase in footfall in that area.
- The newly established Jubilee Square is only 50 metres from the proposed site, together with bus stops and taxi ranks and concern was raised again about signage.

He also stated that consideration should be given to whether 2 SEVs are appropriate for this area and that the proposed location is within the Maidstone conservation area.

Mr Wyles, representing Town Centre Management Limited ("TCM"), addressed the Committee. He stated that TCM feel this location is not appropriate due to the number of retail outlets and residential premises in the vicinity, many open late and all ages use the town This is in the core part of town.

Counsel for the applicant asked a number of questions of Mr Wyles regarding membership of TCM, what TCM provide for businesses in the town and the Midsafe radio system. In response to a question, Mr Wyles stated that a vote of its members was not taken to object to this application but that they had spoken to the majority of members at meetings and one to ones. He said that he was surprised by the assertion that 34 businesses had been supportive.

Counsel for Players asked for TCM's view of Players as an SEV, to which Mr Wyles responded that as it is not, as they would define, in the core town centre.

In response to questions from Members, Mr Wyles stated that he was not aware of TCM being approached by a business to become a member before having premises in Maidstone and that they have had a number of meetings where this application has been discussed.

Mr Pattison, Chairman of Celebrate Maidstone, then addressed the Committee as an objector. He informed the Committee that the organisation was new and that their aim was to raise the profile of the Town. They are looking to hold public events in the town centre to attract visitors and families to the town centre during the day and night and that they object to this application as they feel it will undermine the good work that they are doing and that it will not be for the long term benefit of the town.

Counsel for the applicant asked questions of Mr Pattison regarding noise levels in Gabriels Hill and Jubilee Square to which Mr Paterson was unsure.

Members then asked questions of Mr Pattison regarding his organisations' aims and associations.

The representative for Kent Invicta Chamber of Commerce then addressed the Committee. He stated that although the Chamber applauded the applicant for wanting to invest in Maidstone and bring high-spending individuals into the town, they could not accept inward investment at any price. He stated that the Chamber were approached by members of the local Maidstone business community with concerns about the impact of such a club on them and anti-social behaviour associated with all male groups. He said that the Maidstone night time economy is thriving and recently achieved Purple Flag status. He also raised a concern regarding equality, stating that the Chamber of Commerce is committed to see men and women secure in business with equal opportunities. He felt that the club would be in conflict with late night shopping, the night time economy and family restaurants such as Pizza Hut.

Counsel for the applicant was then given the opportunity to ask questions. The Chamber representative responded that they do not have a specific voting system for Members but it was Members who came to them asking them to do something, they would support employment for local people and they represent the business community as a whole. He said that he strongly doubted that no-one would see the premises from the High Street or that no-one would go on elsewhere within the town centre.

There were no questions from other parties or Members.

A further objector, (p46 of the bundle of late representations), who wished to remain anonymous, then addressed the Committee stating that Maidstone during the day is different to the evening but that this balance is changing. There are a number of flats close by that are being bought by commuters and due to the historical location of our train stations outside the town centre, a number of commuters now walk through town late at night on their return home. The objector stated that they had taken a look at the front of the said premises during the lunch break and found it possible to see right up to the door and that people going in and out of the premises would attract interest from passers-by.

Counsel for the applicant was then given the opportunity to ask questions. In response the objector said they felt uneasy in town at night and that although solid gates would help to a certain extent, she felt that teenagers would still be curious.

There were no further questions, so the meeting was adjourned for 10 minutes for a comfort break.

Counsel for the applicant was then given the opportunity to comment regarding conditions. He said they accept the standard conditions and also accepted the proposed additional conditions relating to security, door supervisors and CCTV. With regard to the proposed amendments to conditions 15, 19 and 26, they also requested these. Counsel also submitted that, as outlined at the start of the meeting the opening times change to state they open one hour after the advertised closing of the Mall Chequers and also offered a condition to restrict the admission to the premises to persons aged 21 and over.

Counsel to an objector proposed an amendment to condition 15 to replace the wording "...the entrance or immediately outside of the premises ..." to "... on the public highway or ...". This was agreed by all parties.

Members then asked questions of the applicant's Counsel regarding other possible conditions relating to Sunday morning closing time, an over 21 policy for their dancers/staff, obscuring of windows and doors and the distance between the performer and the patron.

Members were then given the opportunity to ask any questions of clarification of the applicant.



The Legal Advisor informed the Committee that many of the late objections requested that the authority consider changing its current policy of considering what relevant locality and appropriate number of sex establishments for that in each case on its own merits and at the time of the decision on the application. They requested a change of policy to the number for Maidstone being nil. No representations were made by the objectors speaking at the hearing in this regard. The Head of Democratic Services recommended that the current policy be retained on the basis that the policy had been adopted in 2011, after extensive consultation, and was felt to provide a flexible position for members considering each case because, in any event, any policy pre determining localities and or numbers would have to be reviewed at the time of determining any application and could not bind members for the future. Members had reconsidered this issue on 22, October 2012 and agreed to retain their policy. Members further considered the policy position and agreed to retain their current policy for the reasons given above.

All parties were then given an opportunity to sum up.

The Committee then retired to consider the application and

RESOLVED: That the application made by Illuminati Ventures Ltd, on 17, July 2012, for a sexual entertainment venue licence for premises at 9 Gabriels Hill, Maidstone under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 would be refused under the following grounds of Schedule 3, paragraph 12 of that Act:-

(3)(c) – that the number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time the application is determined is equal to or exceeds the number which the authority consider is appropriate for that locality.

(3)(d) – 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.

The Committee considered; the report and oral presentation of the Head of Democratic Services, the application and all accompanying documents provided by the applicant, the submissions by Mr Sutherland and the evidence of Mr. Tredigo, Mr. Culley, Ms. Harris and Mr Monty, on their behalf, the objections received both in time and those which were late, (including three emails in support), the Committee having exercised their discretion to have regard to them, the submissions of Sir Tony Baldry MP. of counsel representing Players, whose objection is at page 92 of the agenda and the evidence of Mr. Pemble, the submissions of Mr. Wyles for Maidstone Town Centre management Ltd, whose objection is at page 89 of the agenda, the submissions of an objector whose objection is at page 91 of the agenda, the submissions of Mr Simons of counsel representing the objector whose objection is at number 2 of the bundle of late objections and the submissions of Mr. Pattinson, Mr Ghinn, Mr. Williams and Mrs. Relle (objections at numbers;5, 31/47on behalf of Kent Invicta

Chamber of Commerce , 34 and 47 of the bundle of late objections respectively)who members agreed to hear.

An update to the Committee by the Head of Democratic Services indicated that a fresh layout plan had been provided by the applicant including CCTV cameras in two private booths, where they had previously not appeared and that confirmation had been provided that the door to the performers dressing room would be locked and not accessible to the public. He also, stated that members had considered an SEV application on 22, October 2012 for premises at 87-88 Bank Street and had refused a licence. The relevant locality for premises that was found to be Bank Street, the High Street from Mill Street up, including Jubilee Square, Middle Row and King Street as far as Wyke Manor Road and The Mall entrance, and the appropriate number of SEVs for that locality nil. Members found that the nature and content of the relevant entertainment proposed was, lap dancing, pole dancing, stage striptease and erotic dance. The hours applied for were Sunday to Wednesday 20:00 to 05:00 the following day, Thursday to Saturday 20:00 to 06:00 the following day. In the course of the hearing the applicant indicated that they would be content to accept hours which were conditioned that they would not open until one hour after closure of The Mall to account for any late opening, including Christmas. There were, during a conditions discussion, further amendments stated to be acceptable; if the licence were to be granted, moving the closing to 05:00 or if required 04:00 on Sunday morning. The sexual entertainment venue operation would take place, as shown on the plan with the application accessed from King Street at ground floor level via a courtyard, that level being at first floor level at the Gabriels Hill frontage from which there would be no access to the SEV, the ground floor of the premises in Gabriels Hill being currently occupied by Paddy Power.

The Applicant submitted that the proposed operation of the premises was to be high end, mature clients, low numbers and not targeting stag parties in marketing. Members also heard evidence from Mr. Pemble that this proposal would not succeed with this type of model in Maidstone. Members took the view that the economic model and commercial viability was not a matter that was relevant to their consideration in respect of the discretionary grounds of , "relevant locality and number of sex establishments", " relevant locality and character" and "use of premises in the vicinity".

#### MANDATORY GROUNDS

There was found to be no evidence that any of the mandatory grounds under Schedule 3, paragraph (1) were engaged and none were raised by the Police or objectors.

#### DISCRETIONARY GROUNDS

##### SUITABILITY OF APPLICANT ETC. AND LAYOUT ETC. OF PREMISES.

No evidence was found to be relevant to discretionary grounds for refusal in Schedule 3, paragraph 12(3) (a), (b) and they were not raised by objectors. Whilst d) (iii), was raised in the objection by Players no reason

was given and this was not pursued at the hearing. There was no evidence to substantiate this ground.

#### THE RELEVANT LOCALITY

Submissions from objectors on what was the relevant locality for the premises referred to Maidstone town centre and at the hearing particularly to the area found to be the relevant locality for premises at 87-88, Bank Street. The locality being characterised by its mixed uses including shops, restaurants, cafes and other businesses, residential, entertainment venues, premises with uses involving families and children, such as The Mall, Pizza Hut, Burger King, bus stops where commuters and children congregate and community use of the new Jubilee square and Town Hall, also numerous places of worship, as a conservation area and an area of regeneration.

The applicant submitted that the premises were just inside the relevant locality decided for 87-88, Bank Street, whilst the postal address is 9, Gabriels Hill the entrance is off King Street, but on the specific facts of this application the Committee could find an exception to their nil determination for that locality in relation to the specific location of the site, specific hours of operation and specific operation itself. The applicant characterised the locality as different in the daytime to night time. In their submission the locality was family orientated during the day but at night in this part of town the focus becomes bars and nightclubs and other adult entertainment such as bingo, Gabriels Hill having entertainment premises and the Town Square being dominated by Muggletons and premises in Bank Street. The Mall is closed and the people using the thoroughfare of King Street are using the night time economy.

It was submitted by the applicant that Members could and by objectors that they ought to adopt the same locality as that decided in a previous application, (in Bank Street), considered by the Committee last week. Although members noted that both the applications were in the same broad geographic vicinity of each other they nonetheless considered that each application is to be decided on its own merits and at the time it was being heard. Accordingly Members took the view that it was necessary to consider the relevant locality afresh.

Members found that the relevant locality is Bank Street, the High Street from Mill Street up, including Jubilee Square, Middle Row and King Street as far as Wyke Manor Road and The Mall entrance. This being characterised by being part of a conservation area with listed and historic buildings, with mixed uses in the daytime and continuing in to the evening and night time with uses for entertainment and the community uses centring on the Town Hall and Jubilee Square and being part of the Council's High Street regeneration project. King Street, where the entrance to the premises would be located, is a pedestrian thoroughfare where users of all ages visiting Pizza Hut, AMF and other family uses in the town centre pass and also wait at bus stops and the taxi rank.

#### NUMBER OF SEVs APPROPRIATE TO THE RELEVANT LOCALITY

Members, having found that the relevant locality is Bank Street, the High Street from Mill Street up, including Jubilee Square, Middle Row and King Street as far as Wyke Manor Road and The Mall entrance then went on to consider what is the number of appropriate sex establishments in the relevant locality. Members considered specifically whether a sex establishment of the type applied for is appropriate to the relevant locality. The number of SEVs considered appropriate for this locality is nil. The applicant submitted that the proposed operation of the premises was to be high end, mature clients, low numbers and not targeting stag parties in marketing. Members were not convinced that this would make a significant difference to the impact the proposed premises would have on the character of the relevant locality. They also expressed doubt that the proposed operation could be maintained by the imposition of conditions seeking to ensure compliance with nebulous aims of ,“high end” and “mature clients”.

#### CHARACTER OF THE RELEVANT LOCALITY

Members further considered the character of the relevant locality finding it to be part of a conservation area with numerous listed buildings, having a historic value to the public and tourists. Also, part of the High Street regeneration project area. It is an area of mixed uses as stated above and the locality is used by families and community as a pedestrian route, to frequent restaurants and other family orientated activities including those at the Town Hall and Jubilee Square and to wait for public transport at bus stops and the taxi rank.

An SEV of the type applied for, even one with an entrance gated 10 metres back from the highway and with a further courtyard before the entrance doors, operating within the restricted hours offered and with the stated intended nature of operation would be inappropriate in a locality in the centre of the town and of this character. The current use by families and people of all ages for all sorts of activity, including family orientated, should be able to continue and the family ambience and community events in Jubilee square should be able to continue to be developed without the addition of an SEV adding to and changing the existing character.

Members sought to carefully limit their consideration to such representations and submissions as directly assisted in the determination of the character of the relevant locality and placed to one side those submissions and representations that were based on understandable but none the less inadmissible moral grounds. Members also considered submissions that crime and anti social behaviour would increase but did not find they had sufficient evidence to support this view, independent of perception or fear of increased issues attributable to the proposed premises.

#### USE OF PREMISES IN THE VICINITY

Consideration was then given to the vicinity of the premises and it was found that this was a smaller area than relevant locality, being the area around the Town Hall and Jubilee Square and the High Street and King Street from there to Wyke Manor Road and the Mall entrance. The

proposed SEV was considered to be inappropriate to the vicinity of the use of the Town hall and adjacent Jubilee Square for public activities during the day and evening and of family orientated restaurants such as Pizza Hut immediately opposite the proposed premises and open until later than the proposed opening time.

Members also considered submissions from objectors about the effect on, places of worship and schools but these did not fall within what members considered to be the vicinity of the proposed SEV, being some distance away and unlikely to be directly affected.

#### CONCLUSION

FOR ALL THESE REASONS THE APPLICATION WAS REFUSED.

#### 67. DURATION OF MEETING

10 am to 6.16 pm.