REPORT TO LICENSING PANEL SUB COMMITTEE

CONSIDERATION OF THE RENEWAL OF A SEXUAL ENTERTAINMENT VENUE LICENCE UNDER SCHEDULE 3 OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

LICENSING AND PUBLIC SPACE PROTECTION ORDER SUB - COMMITEE:
31 March 2021 at 14:30 hrs

OFFICER REPORTING: Craig Hawkings - Licensing Enforcement Officer

A) APPLICATION (Appendix A)

APPLICANT: Mr Nicholas BEARDWEL

PREMISES: Honeypot, 81 Queen Street, Maidenhead, SL6 1LT

LICENCE: SEV0002 **(Appendix B)**

The application is to renew the Sexual Entertainment Venue (SEV) licence for the above premises, as is required on an annual basis. An SEV is defined as “any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or entertainer”. Relevant entertainment is “any live performance or live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purposes of sexually stimulating any member of an audience (whether by verbal other means). An audience can consist of just one person (e.g. where the entertainment takes place in private booths).

The application does not propose any changes to the current hours or conditions of the licence.

Application history:

12.10.2011 - Application for new - Licence granted

16.12.2012 - Renewal of SEV licence renewed

15.11.2013 - Renewal of SEV licence renewed

31.10.2014 - Renewal of SEV licence renewed

16.11.2015 - Renewal of SEV licence renewed

10.11.2016 - Renewal of SEV licence renewed

07.02.2017 - Renewal of SEV licence renewed

22.01.2018 - Renewal of SEV licence renewed

15.12.2019 - Renewal of SEV licence renewed

08.01.2020 - Renewal of SEV licence renewed

17.02.2021 - Renewal of SEV application being considered

B) REPRESENTATIONS

Police:

Thames Valley Police – No objection.

Objections

Five attached objections **(Appendix C)**

C) OBSERVATIONS

The application is in respect of existing premises which currently has a premises licence under the Licensing Act 2003. There are no outstanding complaints in relation to the premises or either the general or specific location of the premises "vicinity". The applicant has no relevant convictions.

The Sub-Committee may under paragraph 8(1) of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 renew the licence subject to any terms & conditions and restrictions it may decide are reasonable.

The term "reasonable" is not defined or mentioned in the 1982 Act but is included to indicate that in deciding what terms are reasonable, under public law, the Sub-Committee must only take account of matters relevant to the application and ignore any that are irrelevant.

As objections have been made to the renewal of the licence then in line with paragraph 11 of Schedule 3 and Royal Borough's Policy a hearing is necessary before this Sub-Committee to decide whether the Licence should be renewed.

Guidance for England and Wales was published by the Home Office in March 2010. The entire Guidance should be considered as a whole, but relevant extracts, regarding the subtitled matters, is set out below as follows:

Objections

3.23:

When considering an application for the grant, renewal or transfer of a licence the appropriate authority should have regard to any observations submitted to it by the chief officer of police and any objections that they have received from anyone else within 28 of the application. Any person can object to an application, but the objection should be relevant to the grounds set out in paragraph 12 for refusing a licence. Objections should not be based on moral grounds/values and local authorities should not consider objections that are not relevant to the grounds set out in paragraph 12. Objectors must give notice of their objection in writing, stating the general terms of the objection.

3.24:

Where the appropriate authority receives notice of any objection the authority shall, before considering the application, give notice in writing of the general terms of the objection to the applicant. However, the appropriate authority shall not without the consent of the person making the objection reveal their name or address to the applicant.

Hearings

3.25:

Under paragraph 10(19) of Schedule 3, before refusing an application, all applicants should be given the opportunity to appear before and be heard by the local authority committee or sub-committee that is responsible for determining the application.

3.26:

Schedule 3 does not make explicit provision for objectors to be heard, but this does not mean that such hearings cannot take place. Rather, case law on this matter states that while local authorities are under no obligation to offer an oral hearing to objectors, they may do so at their discretion. Although a local authority is under a duty to consider any objections made within 28 days of the application, it has discretion to hear later objections provided the applicant is given the opportunity to deal with those objections.

Refusal of a Licence

3.27:

Paragraph 12 of Schedule 3 sets out the grounds for refusing an application for the grant, renewal, or transfer of a licence.

A licence must not be granted:

(a) to a person under the age of 18.

(b) to a person who is for the time being disqualified due to the person having had a previous licence revoked in the area of the appropriate authority within the last 12 months.

(c) to a person, other than a body corporate, who is not resident in an EEA State or was not so resident throughout the period of six months immediately preceding the date when the application was made; or

(d) to a body corporate which is not incorporated in an EEA State; or

(e) to a person who has, within a period of 12 months immediately preceding the date when the application was made, been refused the grant or

renewal of a licence for the premises, vehicle, vessel, or stall in respect of which the application is made, unless the refusal has been reversed on appeal.

3.28:

A licence may be refused where:

(a) the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason.
(b) 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;
(c) 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.
(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; or
    (iii) to the layout, character or condition of the premises, vehicle, vessel, or stall in respect of which the application is made.

3.29:

A decision to refuse a licence must be relevant to one or more of the above grounds.

3.30:

When determining a licence application, the local authority must have regard to any rights the applicant may have under Article 10 (right to freedom of expression) and Article 1, Protocol 1 (protection of property) of the European Convention on Human Rights.

3.31:

The Provision of Services Regulations 2009 amended Schedule 3 to the 1982 Act to state that, if having considered an application for the grant, renewal or transfer of a licence, the appropriate authority decides to refuse it on one or more of the above grounds, it must provide the applicant with reasons for the decision in writing.

Relevant Locality (Appendix D)

3.32:

Paragraph 12(3)(c) and 12(3)(d) of Schedule 3 allow appropriate authorities to refuse applications on grounds related to an assessment of the “relevant locality”. A licence can be refused if either, at the time the application is determined the number of sex establishments, or sex establishments of a particular kind, in the relevant locality is equal to or exceeds the number that the authority considers appropriate for that locality; or that a sex establishment would be inappropriate having regard to the character of the relevant locality, the use to which any premises in the vicinity are put or the layout, character or condition of the premises. Nil may be the appropriate number.

3.33:

Schedule 3 to the 1982 Act does not define “relevant locality” further than to say that:

(a) in relation to premises, it is the locality where they are situated; and

(b) in relation to a vehicle, vessel or stall, any locality where it is desired to use it as a sex establishment.

3.34:

Clearly, the decision regarding what constitutes the ‘relevant locality’ is a matter for the appropriate authority. However, such questions must be decided on the facts of the individual application.

3.35:

Therefore, it is reasonable and potentially useful to future applicants, for a local authority to decide in advance of receiving any applications that certain areas are, or are not, appropriate locations for a sex establishment or a particular number of sex establishments. Nevertheless, all applications must be considered on their individual merits.

3.36:

When considering a particular application case law has indicated that the relevant locality does not have to be a clearly pre-defined area nor are local authorities required to be able to define its precise boundaries. Therefore, while a local authority is not prevented from defining the exact area of the relevant locality, it is equally free to conclude that it simply refers to the area which surrounds the premises specified in the application and does not require further definition. Nevertheless a local authority’s view of what constitutes a locality could be open to challenge if they took a completely unreasonable view of the area covered, for example, by concluding that two sex establishments 200 miles away from one another were in the same locality. Case law also indicates that a relevant locality cannot be an entire local authority area or an entire town or city.

3.37:

Once the appropriate authority has determined the relevant locality, it should seek to make an assessment of the ‘character’ of the relevant locality and how many, if any, sex establishments, or sex establishments of a particular kind, it considers appropriate for that relevant locality.

3.38:

Policing and Crime Act 2009 Section 27 amends paragraph 12(3)(c) of Schedule 3 to allow local authorities to determine an appropriate number of sex establishments of a particular kind. In practice, this means that the appropriate authority may, for example, decide that a particular locality is suitable for a sex shop but is not suitable for a sexual entertainment venue or vice versa. The Royal Borough of Windsor and Maidenhead adopted these powers in 2010.

Licence Conditions

3.39 Once the appropriate authority has decided to grant a licence they are able to impose terms, conditions and restrictions on that licence, either in the form of conditions specific to the individual licence under paragraph 8 of Schedule 3 or standard conditions applicable to all sex establishments, or particular types of sex establishments, prescribed by regulations made by the appropriate authority under paragraph 13 of Schedule 3.

Appeals

3.44:

In the event that the appropriate authority refuses an application for the grant, renewal or transfer of a sex establishment licence the applicant may appeal the decision in a magistrates' court, unless the application was refused under 12(3)(c) or (d), in which case the applicant can only challenge the refusal by way of judicial review."

The Sub-Committee may refuse to renew the Licence under the Grounds set out in Paragraph 12(3) of Schedule 3, namely:

(a) the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason.
(b) 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;
(c) 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.
(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; or
    to the layout, character or condition of the premises, vehicle, vessel, or stall in respect of which the application is made.

Particular attention should be paid to the grounds under 12(3)(c) and 12(3)(d), as these are the grounds for objection in the representations received.

In making its decision, the Committee should have regard to the Home Office Guidance and the Council's own Licensing Policy.

The Sub-Committee must have regard to all the representations made and the evidence it hears.

The options available to the Licensing and Public Space Protection Order Sub-Committee are that it may:

a) renew the licence, attaching any conditions they consider reasonable under paragraph 8(1) or,
b) refuse the application under paragraph 12(2)

Where the Licensing and Public Space Protection Order Sub-Committee has refused to renew a licence then it is required to give written reasons for its decision to the licence holder (paragraph 11(20))

The Licensing and Public Space Protection Order Sub-Committee are asked to determine the application.

Financial implications: None directly but Members should be aware that any decision of the Sub-Committee may be appealed against in the Magistrates' Court and such an appeal may involve additional costs and possible costs against the Council.

Background papers:
Local Government (Miscellaneous Provisions) Act 1982
Home Office Sexual Establishment Guidance.
Policing and Crime Act 2009, section 27

Enclosures/Appendices:

Appendix A – Application
Appendix B – License SEV0002
Appendix D – Objections received
Appendix C – Map of the area

Contact details: Craig Hawkings- Licensing Enforcement Officer
Craig.Hawkings@RBWM.gov.uk
Tel: 01628 685709
Mobile: 07833047887

APPENDIX (A)

Royal Borough of Windsor & Maidenhead

Local Government (Miscellaneous Provisions) Act 1982 Section 3 and Schedule 3
Application for the Grant/Renewal/Transfer/ of a Licence for a Sex Establishment

Type of Application	Grant		Renewal	✓	Transfer	

1. If application is made on behalf of an individual please state:

Full Name	NICHOLAS LEE BEARDWELL				
Permanent Address	[redacted]				
Age	[redacted]	Date of Birth	[redacted]	Place of Birth	[redacted]

If application is made on behalf of a corporate or unincorporated body please state:

Full Name of Body	THE HONEYPOT
Address of registered or principle office	[redacted]

2. Give full names and private addresses of all directors or other persons responsible for management of the establishment:

Full Name	NICHOLAS LEE BEARDWELL				
Address	81 QUEEN STREET MAIDENHEAD BERKS SL6 1LT				
Age	[redacted]	Date of Birth	[redacted]	Place of Birth	[redacted]

Full Name	JOHN NORMAN SENNETT				
Address	[redacted]				
Age	[redacted]	Date of Birth	[redacted]	Place of Birth	[redacted]

Full Name					
Address					
Age		Date of Birth		Place of Birth	

Full Name					
Address					
Age		Date of Birth		Place of Birth	

3. Have you any convictions recorded against you? Or if a body corporate or unincorporated body that body or any od its directors or other persons responsible for its management? If so please state:

Date of Conviction	Offence	Sentence (including suspended sentence)
N/A	N/A	N/A

Note

1) All live convictions must be disclosed.
2) Spent convictions, as defined *Table 1* should not be included.

[redacted]

Royal Borough of Windsor & Maidenhead

Table 1

Sentence	Becomes spent after
Imprisonment of between 6 months and 30 months	10 years
Imprisonment of up to 6 months	7 years
Borstal training	7 years
A fine or other sentence not otherwise covered in this table	5 years
Absolute discharge	6 months
Probation order, conditional discharge or bind over	1 year (or until order expires, whichever is longer)
Detention Centre Order	3 years
Remand home, attendance centre or approved school order	The period of the order and a further year after the order expires
Hospital order under the Mental Health Act	The period of the order and a further 2 years after it expires
Cashiering discharge with ignominy or dismissal with disgrace from the Armed Forces	10 years
Dismissal from Armed Forces	7 years
Detention	5 years

Note

1) A sentence of more than 2½ years imprisonment can never become spent.
2) If you were under 17 years of age on the date of conviction, please halve the period shown in the right hand column.

4. Have you been resident in the United Kingdom throughout a period of six months immediately proceeding the date — YES/NO

5. If the application is made on behalf of a body corporate is that body incorporated in the United Kingdom — YES/NO

6. Full address of premises desired to be used as a sex establishment

HONEY POT
81 QUEEN STREET MAIDENHEAD SL6 1LT

7. If this application relates to a vehicle/vessel/stall give description and state where it is to be used as a sex establishment

N/A

8. During which hours do you intend to trade

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
11AM-5AM	11AM-5AM	11AM-5AM	11AM-5AM	11AM-5AM	11AM-5AM	11AM-5AM

9. Are the premises to be used as a sex shop? — YES/NO
Are the premises to be used as a sex cinema? — YES/NO
Are the premises to be used as a sexual entertainment venue — YES/NO

10. Are you (or, if a corporate or unincorporated body, that body) disqualified from holding a licence for a sex establishment? — YES/NO

Have you ever been refused a licence for a sex establishment?
If Yes please give details

NO

11. I declare that I have checked the information given on this application form and to the best of my knowledge and belief it is correct

Signed [redacted]

Licensing Team - RBWM, Town Hall, St Ives Road, Maidenhead, SL6 1RF.

APPENDIX (B)

LICENCE FOR A SEXUAL ENTERTAINMENT VENUE

SEV0002

LOCAL AUTHORITY

Royal Borough of Windsor and Maidenhead
Town Hall
St Ives Road
Maidenhead
Berkshire
SL6 1RF

www.rbwm.gov.uk
Royal Borough of Windsor & Maidenhead

NAME & ADDRESS OF HOLDER OF SEXUAL ENTERTAINMENT VENUE LICENCE

John Norman **SENNETT** [redacted]

Nicholas Lee **BEARDWEL** 81 Queen Street Maidenhead SL6 1LT

PREMISE DETAILS

Honeypot
81 Queen Street, Maidenhead, SL6 1LT

PERMITTED HOURS

	Open from	Open to
Monday	11:00	05:00
Tuesday	11:00	05:00
Wednesday	11:00	05:00
Thursday	11:00	05:00
Friday	11:00	05:00
Saturday	11:00	05:00
Sunday	11:00	02:00

NOTES

(1) THIS LICENCE IS SUBJECT TO THE PROVISIONS OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982, THE CONDITIONS ATTACHED TO THIS LICENCE AND ANY OTHER RELEVANT ACTS.

(2) THIS LICENCE IS NOT TRANSFERABLE WITHOUT THE CONSENT OF THE COUNCIL

SIGNED ON BEHALF OF THE ISSUING LICENSING AUTHORITY

David Scott
Head of Communities

APPENDIX (C)

Received 2 March 2021 22:32 hrs

Dear Borough Secretary

I am writing to object to the renewal of the honeypot's sex establishment licence.

My grounds are - that it is completely out of keeping with the redevelopment of the town, and the character that is sought

- The close proximity of residential premises to the establishment.
- The close proximity of the shopping centre of town.
- The location of the establishment is on the main route to the only play park in close proximity to town. As well as two local nurseries within walking distance.
- The close proximity of many places of worship

Kind regards

[redacted]

Received 3 March 2021 14:06 hrs

We would like to re-submit our objection on the following grounds as per our initial communication with your team:

- The close proximity of residential premises to the establishment.
- The close proximity of the shopping centre of town. The establishment 81 Queen Street is on route from the station to the town centre for current shoppers and those the town would like to attract in the near future.
- The planned extensive regeneration of the area is not in synergy with such an establishment.
- The location of the establishment is on the main route to the only play park in close proximity to town. As well as two local nurseries within walking distance. With the new town centre regeneration attracting young families we deem this establishments operation no longer fit for purpose.
- The establishment is not aligned to the character of the locality, the Royal Borough.
- The close proximity of places of worship to the establishment in question.
- The close proximity of the establishment to community facilities, such as the local football club.

We believe that given the nature of the business in question, it will not complement the high-quality development plans in place for the surrounding sites such as the Landing and the Nicholson development. The Landing, opposite the establishment, is dubbed ‘the new gateway to town’ which will encourage more footfall through town and from the railway station.

The Nicholson development Areli partner was quoted in Maidenhead Advertiser providing a great overview of the positive direction our town is now taking. Mr Tinknell said: “We remain committed to delivering this exciting new town centre project for the community, which will make a major contribution to the vibrancy and vitality of Maidenhead.” There is substantial family accommodation within these plans and therefore 81 Queen St in its current form no longer aligns to the direction and regeneration of the town centre.

We look forward to seeing notification of the outcome.

Kind regards,

[redacted]

Received 3 March 14:31 hrs

Hi I'd like to take the opportunity to raise some objections to the abovementioned license application for the honeypot. As someone who works with vulnerable young people, I feel it's critical that we offer clear messages to our young people on what is moral and healthy relationships with men etc. W shave to walk passed this establishment to access our football club lessons, to go to church, do our shopping and to access the many cultural opportunities in the town.

Objections:

- The close proximity of residential premises to the establishment.
- The close proximity of the shopping centre of town. The establishment 81 Queen Street is on route from the station to the town centre for current shoppers and those the town would like to attract in the near future.
- The planned extensive regeneration of the area is not in synergy with such an establishment.
- The location of the establishment is on the main route to the only play park in close proximity to town. As well as two local nurseries within walking distance. With the new town centre regeneration attracting young families we deem this establishments operation no longer fit for purpose.
- The establishment is not aligned to the character of the locality, the Royal Borough.
- The close proximity of places of worship to the establishment in question.

- The close proximity of the establishment to community facilities, such as the local football club, cinema and play space.

Kind regards

[redacted]

Received 8 March 2021 11:39 hrs

Dear Sir/Madam,

I hereby would like to make a representation against the renewal of the SEV licence for The Honeypot, 81 Queen Street, Maidenhead, SL6 1LT.

Grounds of representation -

- the prevention of crime and disorder

Below are a couple of incidents that have come to my notice which have occurred in the vicinity of The Honeypot -

Dec 2019 - https://www.getreading.co.uk/news/reading-berkshire-news/man-suffers-bleed-brain-serous-17483397

Sep 2016 - https://www.maidenhead-advertiser.co.uk/news/maidenhead/104718/honeypot-taped-off-by-police.html

Also, the argument made in the attached letter dated 2010 (found on internet, source unknown) stating that The Honeypot is not in a residential area is no longer valid as there are flats in the vicinity of Honeypot on York Road.

So on the basis that the area is now a residential area (due to flats on York road and many other flats coming up in town center) and that there have been crime incidents outside The Honeypot, I would like to express my opinion of objecting against the renewal of the SEV licence of The Honeypot on the above mentioned grounds.

Alan Barwise
Licensing Department
The Royal Borough of Windsor and Maidenhead,
Town Hall,
St Ives Road,
Maidenhead,
Berkshire
SL6 1RF

14th July 2010

Ref: Sex Establishments Licences

Dear Alan,

Thank you for the opportunity in asking for our comments which will be included in your final report to the Council on Tuesday 20th July 2010.

Firstly, we would like to say that we are in total support of the new Sexual Entertainment Venue Licence. It will give the Council the powers to limit the number of lap dancing clubs and to stop unscrupulous operators from opening new venues. It will also enable the Council to stop clubs opening in residential areas and near schools, etc.

Having said that, we feel that we already have enough restrictions on our Premises Licence, such as, SIA registered door supervisors on duty during all trading hours and blacked out windows (both which has an associated cost to us). Also, we are not allowed to advertise locally and distribute advertising leaflets in the town centre, which we fully understand and abide by and are happy to continue to do so.

The Honeypot is not in a residential area and not near schools. Indeed, it is in a designated entertainment area. The actual Public House has been there for nearly 150 years. The Honeypot has been in operation for the last 10 years, having been run by myself since opening. In the past 10 years we have had not had one objection or complaint from either a member of the public or the Authorities to our knowledge. We have proven we can exist in the town centre without causing upset. Further, the fact that we have survived for 10 years demonstrates that the public wants the type of entertainment we offer.

Mr. Stephen Belcher, the manager of The Honeypot, has been employed by Empirelord Limited for over six years and together with myself has built up an extremely cooperative relationship with the Council and Thames Valley Police.

We have a reputation we believe to be second to none with these Authorities, causing a lot less inconvenience than many of the other venues in the town.

Obviously these are very tough financial times for the economy as a whole, espically the entertainment industry which can be demonstrated by the number of pubs, clubs and restaurants that have closed in Maidenhead. This has done irreparable damage to the local night time economy which employs hundreds of people. Further financial burdens on any entertainment venue on this time will be difficult to bear.

As a suggestion, we would be happy if the proposed license fee of £10,000.00 was for a period of two years at least initially until there is an upturn in the economy, when people will start to come back into Maidenhead for a night out.

We look forward to receiving the Councils decision in due course after the meeting

Yours Sincerely

John Sennett FBII Stephen Belcher MBII

Thanks & Regards,

[redacted]

Received 10 March 2021 22:27 Hrs

(together '**The Residents**')
Borough Secretary
The Royal Borough of Windsor and Maidenhead
Town Hall
St. Ives Road
Maidenhead
SL6 1RF
5th March 2021

Dear Borough Secretary,

Re: Group Objection to The Honeypot, 81 Queen Street, Maidenhead, Berkshire, SL6 1LT Sex Establishment Licence SEV000

This letter is written in objection to the application of The Honeypot, 81 Queen Street, Maidenhead, Berkshire, SL6 1LT ('**The Honeypot**' or '**Premises**')

to the Royal Borough of Windsor and Maidenhead for the renewal of a Sex Establishment Licence made on 17th February 2021.This letter is the second objection to be submitted. The first objection was submitted regarding an application made on 18th December 2020 and submitted on 12th January 2021. The first objection letter was signed by some other residents, in addition to those that have signed this objection letter.

The Residents understand there are certain grounds which are taken into consideration when refusing an application for the renewal of a licence. As per R v Newcastle upon Tyne City Council ex parte The Christian Institute [2001], The Residents understand that these objections should not be based on moral grounds. Instead, this letter seeks to state in general terms the grounds for objection.

The Residents wish to draw particular attention to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ('**LG(MP)A 1982**') where reference to the 'relevant locality' is detailed in 3.28(d):

3.28
… (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; or
(iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

The Residents believe the character of the 'relevant locality' to be important for the main reasons which have been numbered below for your convenience.

1. Close Proximity to Residential Areas The Residents inhabit the properties directly opposite the side face of The Honeypot (as shown by the map in Annex 1). Considering the new measures that took effect on 6 April 2010 intend to empower local communities to have greater say over how sexual entertainment venues operate, The Residents have standing to object to the application. Firstly, the map shows that the sex establishment is based near residential areas. Being opposite a sex establishment has the potential to decrease the value of their property. Secondly, the Premises is located in an area with heavy footfall. Observations that have been made by The Residents on a number of occasions include, but are not limited to:

• a large number of school children who walk past The Honeypot on a daily basis to access the Maidenhead train station and go to/from school;

• young children who proceed to ask their accompanying adult what the Premises is;

• females waiting outside the premises to be picked up in the early hours;

• tourists, locals and children accessing Maidenhead United Football Club by foot that walk directly past the Premises; and

• an increase in walkers has already been noted as the local developments, high street and gym facilities are being upgraded. As these get closer to completion, this is likely to increase further.

2. Close Proximity to a Place of Worship

As shown in Annex 1, there is also a church located opposite The Honeypot. Maidenhead Christadelphians describes itself as having ‘members from a wide range of ages and backgrounds’. A regular Sunday service is held and the community ‘enjoy meeting together for a variety of other events’.

Granting a licence for a sex establishment may prevent the willingness of users to attend church activities. Not only could this lead to isolation for many, it is likely to adversely affect certain sections of the population more than others. For example, the elderly or children may be more sensitive to passing the Premises and so would be reluctant to visit their place of worship. This negatively impacts the life of Maidenhead residents who do not feel comfortable walking around the local area.

3. Close Proximity to New Developments, including Shopping Complexes and Tourist Attractions The major regeneration in Maidenhead means the positioning of The Honeypot is no longer appropriate to the character of the local area. Development plans are taking place as close as across the road from the Premises (Annex 1).

‘Relevant locality’ is a definition left open to interpretation, as stated in 3.36, 3.37 LG(MP)A 1982:

3.36

When considering a particular application case law has indicated that the relevant locality does not have to be a clearly pre-defined area nor are local authorities required to be able to define its precise boundaries. Therefore, while a local authority is not prevented from defining the exact area of the relevant locality, it is equally free

to conclude that it simply refers to the area which surrounds the premises specified in the application and does not require further definition.

3.37

Once the appropriate authority has determined the relevant locality, it should seek to make an assessment of the 'character' of the relevant locality…

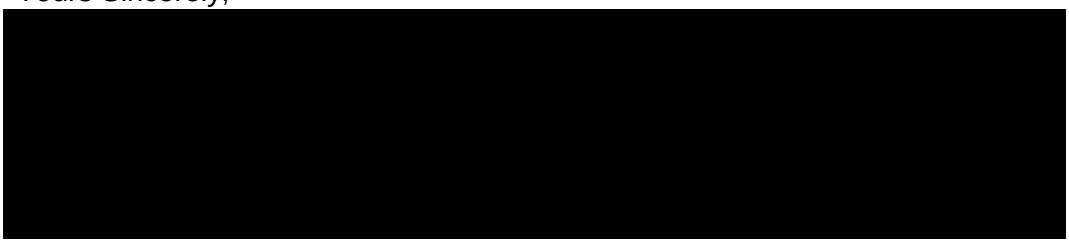
Therefore, The Residents view the plans to change the face of the town of Maidenhead as a whole must be considered. For example, major regeneration in the Waterside Quarter being 'set in an enviable… desirable new location' and 'prestigious new waterside'. Likewise, The Nicholson Quarter mixed-use project is 'breathing a new lease of life' into Maidenhead through its 'ground-breaking' development that is creating new homes and jobs. The inclusion of a sex establishment may be detrimental to the substantial growth envisaged for the area.

Consequently, pursuant to 3.29 LG(MP)A 1982 which states:

3.29

A decision to refuse a licence must be relevant to one or more of the above grounds.
The Residents are in agreement that the 'relevant locality' of the sex establishment mean the renewal of The Honeypot's licence would be inappropriate and hereby object to the application made under Section 2 and Section 3 LG(MP)A 1982.

Yours Sincerely,



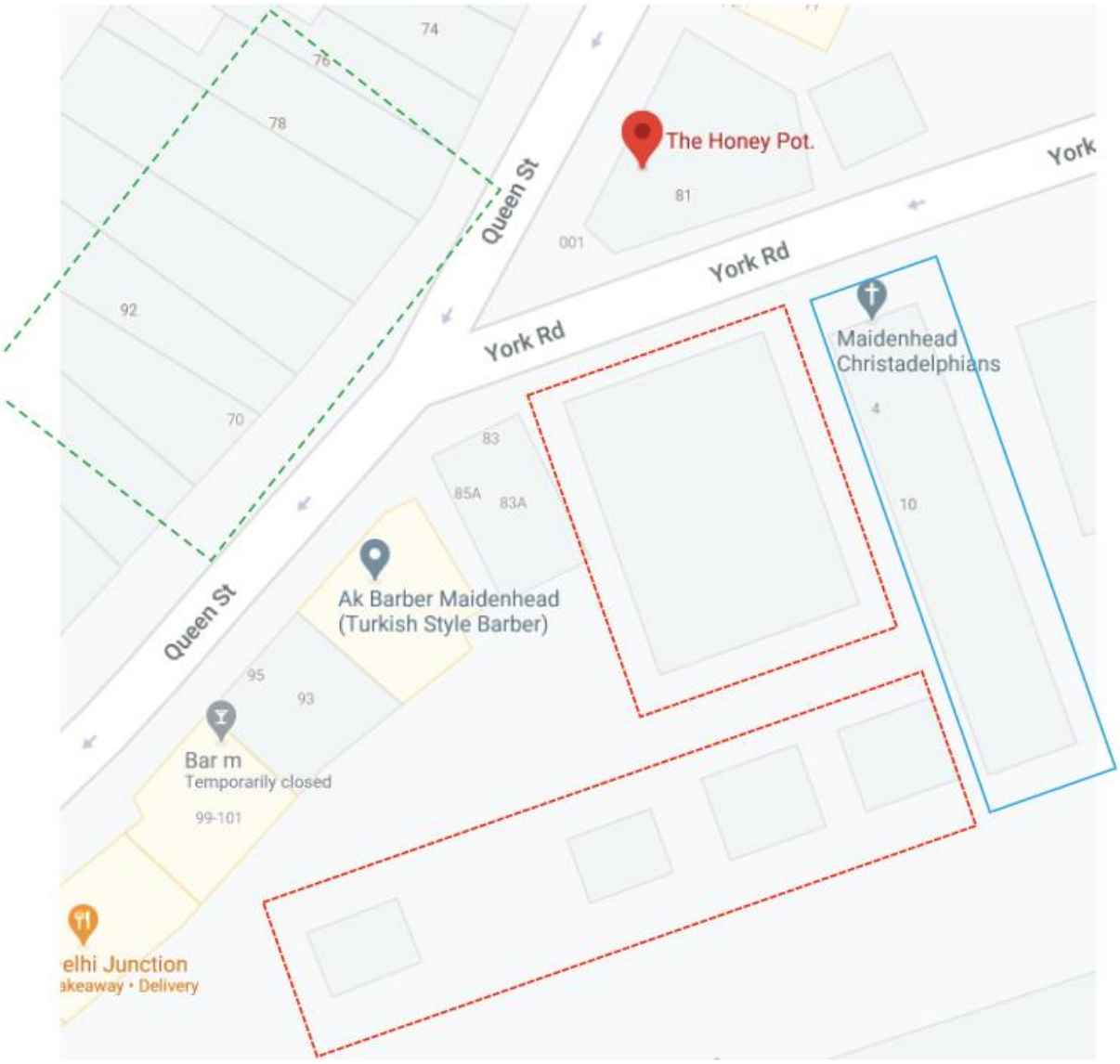
Annex 1

Key:

The Residents

Place of Worship

New Development



SIGNATURE PAGE

Re: Shelley House and Keats Mews Group Objection to The Honeypot, 81 Queen Street, Maidenhead, Berkshire, SL6 1LT Sex Establishment Licence SEV000

NAME(S) OF RESIDENT(S): [redacted]

ADDRESS:

EMAIL:

TELEPHONE:

I/ we hereby confirm that the letter dated 5th March 2021 shares my/ our views on objecting to the renewal of the Sex Establishment Licence of The Honeypot.

[redacted]

Signature

05-03-2021

Date

05-03-2021

Date

SIGNATURE PAGE

Re: Shelley House and Keats Mews Group Objection to The Honeypot, 81 Queen Street, Maidenhead, Berkshire, SL6 1LT Sex Establishment Licence SEV000

NAME(S) OF RESIDENT(S): [redacted]

ADDRESS:

EMAIL:

TELEPHONE:

I/ we hereby confirm that the letter dated 5th March 2021 shares my/ our views on objecting to the renewal of the Sex Establishment Licence of The Honeypot.

[redacted] 6/03/2021

Date

Signature

Date

SIGNATURE PAGE

Re: Shelley House and Keats Mews Group Objection to The Honeypot, 81 Queen Street, Maidenhead, Berkshire, SL6 1LT Sex Establishment Licence SEV000

NAME(S) OF RESIDENT(S):

ADDRESS:

EMAIL:

TELEPHONE:

[redacted]

I/~~we~~ hereby confirm that the letter dated 5th March 2021 shares my/~~our~~ views on objecting to the renewal of the Sex Establishment Licence of The Honeypot.

[redacted]

08/03/21

Date

Signature

Date

SIGNATURE PAGE

Re: Shelley House and Keats Mews Group Objection to The Honeypot, 81 Queen Street, Maidenhead, Berkshire, SL6 1LT Sex Establishment Licence SEV000

NAME(S) OF RESIDENT(S):

ADDRESS:

EMAIL:

TELEPHONE:

[redacted]

I/ we hereby confirm that the letter dated 5th March 2021 shares my/ our views on objecting to the renewal of the Sex Establishment Licence of The Honeypot.

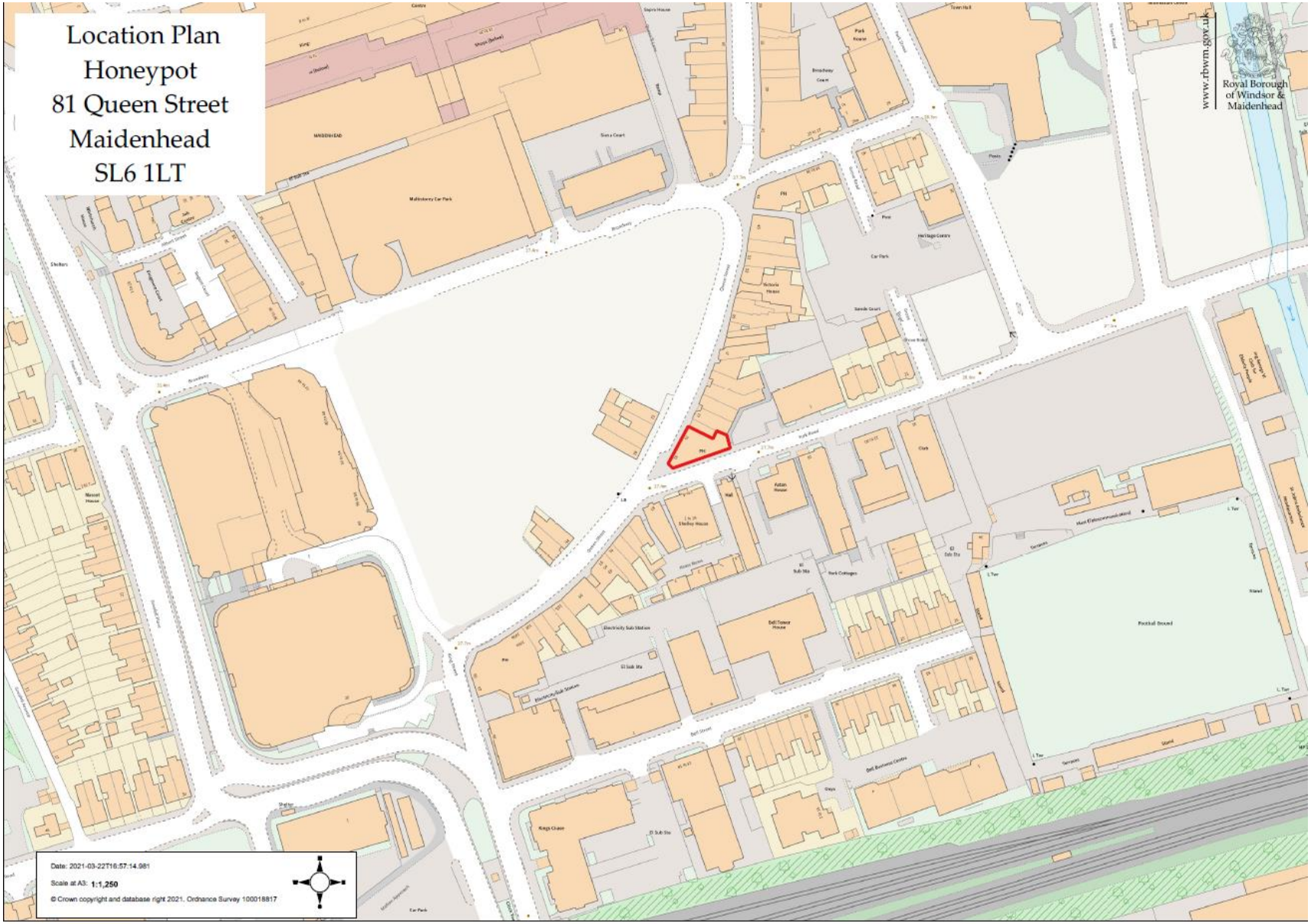
[redacted]

05/03/2021
Date

05/03/2021
Date

Re: Shelley House and Keats Mews Group Objection to
The Honeypot, 81 Queen Street, Maidenhead,
Berkshire, SL6 1LT, Sex Establishment Licence SEV000I hereby confirm that the letter dated 5th March 2021 shares my/our views on
objecting to the renewal of the Sex Establishment Licence of The Honeypot.

APPENDIX (D)


Location Plan
Honeypot
81 Queen Street
Maidenhead
SL6 1LT
www.rbwm.gov.uk
Royal Borough of Windsor & Maidenhead
Date: 2021-03-22T16:57:14.981
Scale at A3: 1:1,250
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