

**Letter of Objection
Dated – 17 May 2024**

Hi

I would like to object to the licensing of Easy Tiger as a Sex Establishment, namely a sex shop.

I have seen BCP's former Sex Establishment Licensing policy, adopted by full council after debate and then quashed by the High Court in a judicial review. However, the contents of the policy are an indication of what is reasonable in Bournemouth by way of restrictions on where a sex shop should be licensed.

The location of this shop is opposite a public library and very near bus stops. Both should be available to children. The bus company offers children's tickets and the library has a children's section. Ex Parte Christian Institute makes it clear that at the time of hearing, although moral objections as to licensing a sex shop weren't then admissible, objecting to the moral character of some customers attracted to a sex shop were perfectly admissible. I am asking you to refuse to license at this location because it is near public transport and a public library, both of which should be accessible to children.

I have seen the current license for these premises which says that certain items are kept in the basement, has a plan attached which doesn't appear to comply with the conditions stated on the license to be required, that the interior of the shop shouldn't be visible from outside via the window display. There is also a list of items sold on the license application which doesn't include items which I have seen advertised outside on A Boards.

Because of various apparent breaches of the license I would also ask you to refuse the license on grounds of suitability because of apparent breaches and an omission from the list of items stated to be sold. In addition the application states that certain items are kept in the basement, yet the public business rates area record states the basement is storage. It may be the area is still storage and the public can't browse through this type of item on display or that the public record is out of date, but I would encourage your department to question this. One type of item which is said to be kept in the basement has been advertised in a graphic display in the window, so it seems a bit pointless keeping them in the basement if you are going to have a large picture of one on display, albeit looking a bit like a microphone. The missing item from the application form is items consumed by the customers advertised as bulls something on the A board. I have seen displays which show the interior of the shop from the window in contravention of the license conditions, but have been told by licensing staff that this is approved by the chair of licensing when I sent one image of one.

A great deal of time and money has been expended on trying to attract people to Bournemouth Triangle to regenerate the area, including setting up arts events in the public area. However, the presence of a sex shop with a window display is not compatible with attracting the general public into the area so that public money has been wasted.

Your Public Sector Equality Duty does not oblige you to license sex shops. You need to weigh up the impact of whether to license or not on all groups with protected characteristics who want to use this area, including pregnant women and those within the first year after childbirth who may be breastfeeding, women who may be with small children and children themselves as well as the groups that this sex shop is aimed at. My concern for children and those responsible for them, as well as other people who can't move away easily such as women or men waiting at a bus stop, that the people mentioned by the judge in ex parte Christian Institute of questionable morals and attracted into the area by the sex shop will harass them. I have lived experience of breastfeeding, catching buses with small children and being pregnant and I was born as and identify as a women. Nothing would have induced me to visit this area with small children or whilst pregnant or breastfeeding and I still would walk up Poole Hill to catch a bus there rather than risk waiting at a bus stop outside a graphic display of advertising products designed to sexual stimulate. What you don't want is someone, particularly if they are intoxicated, noticing you are effectively a captive audience and forcing their attentions on you, the display having hit the mark and sexually stimulated the person looking at it.

This is not a moral objection, it is an objection based on the neighbourhood as the law allows. BCP has faced a very costly judicial review on the licensing policy for Sex Establishments by dismissing the complaints of women regarding street harassment. Please don't do this in making this decision but believe me and take my objection on this point seriously.

There is no legal presumption of licensing a sex establishment as there is for provision of alcohol and other items under the 2003 Licensing Act. It is for the applicant to prove that he should be licensed, not for you to prove that he shouldn't.

There is no requirement to prove harm when deciding to refuse a Sex Establishment License. The case law sometime cited in 2003 Licensing Act cases suggesting that there is a need to prove harm is widely considered to never have been good law, ie likely to be overturned on appeal because it is out of step with previous case law. In addition, it was decided before the current regime for sex establishment, being reported in 2008, whereas the current regime for sex shops post dates that, and did not incorporate that case law. This is a clear indication that it doesn't apply to sex shops. You do not have to prove that harm has taken place as a result of any of the breaches nor the location. You don't need to see a procession of women reliving the unpleasant experience of being harassed at bus stops to make a decision on this. I don't need to put a lone school child at that bus stop and then video them being harassed by one of the drunks about the contents of the window display because that would be highly exploitative and damaging.

Kind regards