

To the Licensing Committee and the Objector,

1. Door Opening:

This issue was addressed in the original 2009 license application and subsequent variation, which included the layout and hours similar to the license conditions when I was at 8 The Triangle. Since then the door has remained open in warm weather for ventilation and airflow, and closed at all other times to keep the premises warm.

Since 2009, there have been no concerns or comments regarding the door being open.

The objector claims that there is "an argument that these premises are unsuitable for use as a sex shop if it can't be ventilated." I am unsure why the objector believes ventilation is necessary for this type of business beyond the comfort of customers and employees.

The objector has also previously complained to Test Valley Council about another shop I owned regarding the door being open, but this issue was also varied when the shop was granted its license.

2. Location Relative to the Library:

The council granted the licenses of 8 and 27 The Triangle with full knowledge of the location and its proximity to the library.

3. Entrance Signage:

The objector states: "I didn't look at the doorway as I was photographing it to see if there is signage up which would prevent someone from inadvertently walking into the shop, particularly as it is near the public library and frequented by unaccompanied minors. It may be that there is signage, which I didn't notice and haven't captured in the photograph.

In addition to the entrance sign, it is clearly displayed twice above the door: "ADULT STORE." An A-board outside the store also carries this information. In the extremely unlikely event that someone misses these signs, they would still need to walk into the shop, pass the counter where we ID customers, and still not be able to see any items that fall under the licensing conditions.

I believe the photograph provided by the objector is misleading. CCTV footage shows that the objector moved around the doorway to capture this particular angle.

I have attached an image of the entrance signage and would like to invite councillors who have not yet visited the store to come and take a look.

4. Window Displays:

This issue has been raised numerous times in the past year by the same objector, and I would like to refer you to the points made by a District Judge in Swindon when I successfully challenged a ruling to black out windows in a shop I owned in Salisbury.

- "There are laws in place regarding what can and cannot be displayed, and I am sure Mr. Spencer will not risk the livelihood of his staff or himself by breaking those laws. The council cannot presume that laws will automatically be broken and require Mr. Spencer to black out his windows or restrict the products on display if those products are legally for sale elsewhere."

- "If products are freely available for sale and advertised elsewhere on the High Street, then Mr. Spencer should also be able to do so within the law and compete for market share freely. Restricting the advertising of goods for sale in his shop would give an unfair advantage to competitors and could leave Salisbury Council open to a claim for compensation."
- "Mr Spencer has a fundamental human right to earn an honest living."
- "Forcing Mr. Spencer to black out the shop windows simply makes the premises look seedy. There is no difference in Mr Spencer having a shop window display or from taking over neighbouring or other properties and freely advertising his business and products there, within the bounds of the law."

Following legal advice from the District Judge, mediation was initiated to reduce council expenditure.

Most supermarkets now have sex toy sections, as there are no age appropriate laws restricting the sale of sex toys. At Easy Tiger we take the age restrictions to enter a sex shop seriously and enforce them vigilantly.

I accept that the objector has no interest in visiting my shop or being a customer. The overwhelming support for my license renewal last year demonstrates that the shop is wanted and needed by a healthy, loyal customer base. I would like to request that this support be presented to the licensing committee during the hearing.

Jonathan Spencer

