



Newmarket

TOWN COUNCIL

Town Mayor: Councillor Rachel Hood

Town Council Manager: Roberta Bennett

25th October 2018
Ref: RJB/HA

For the attention of Shelia Gowan
Licensing Office
Forest Heath District Council
District Offices
College Heath Road
Mildenhall
Suffolk, IP28 7EY

Dear Shelia,

Re: Application by Heaven Awaits Ltd for a renewal of its Sex Establishment Licence at 109 High Street, Newmarket CB8 8JH

Members of The Newmarket Town Council have considered the above application by Heaven Awaits Ltd for the renewal of their licence as a Sex Establishment and resolve **to object strongly** to the application.

The objections are made on the following basis:

The renewal of such licence would fundamentally infringe the guidelines set out in the Section 6.3 of the Forest Heath District Council's Sex Establishment Licencing Policy which states that FHDC will "not normally grant a licence where any premises within the vicinity are used for the following":-

- a) School –no school particularly close to the site in question.
- b) Place of worship – The Stable (a place of worship) on the High Street is 73 metres from the said premises. Additionally, both St. Marys Church and All Saints Church are in close proximity to these premises. Furthermore, the Memorial Hall is not only directly opposite 109 High Street and is used for religious events as well as events involving children which take place at the Memorial Hall at the very same time as Heaven Awaits Ltd would be open.
- c) Family Leisure – These premises are 18 metres from The Memorial Gardens play area which is used on a daily basis by numerous mothers and their children (most, if not all of whom, are under 16 years of age).
- d) Domestic Residential Buildings – These premises are in close proximity to houses and flats in The Avenue. The first and largest block of flats is 32 metres from these premises.
- e) Important Historic Buildings – These premises are located at the gateway to Newmarket High Street, next to the famous Jockey Club Rooms historic buildings and within a short distance of the National Heritage Centre for Horseracing and Sporting Art, the Palace of King Charles II and

The King Edward VII Memorial Hall, High Street, Newmarket, Suffolk, CB8 8JP
Email: roberta.bennett@newmarket.gov.uk Telephone: 01638 667227 Website: www.newmarket.gov.uk

Tattersalls. Importantly, as FHDC will be well aware, 109 High Street is in itself an important historic building.

f) Youth Facilities –As explained above, these premises are 18 metres from the Memorial Gardens play area which is used by several hundred mothers and their children and just across the road, opposite the King Edward VII Memorial Hall, a community facility used by youngsters attending recreation clubs and various events. The facilities at the Memorial Hall and Memorial Gardens are used on a daily basis. In addition, The Stable in the High Street holds youth club activities every week.

g) Important Public and Cultural Facilities – Newmarket is the unique and historic international historic home of horseracing with numerous public and cultural facilities. The National Heritage Centre for Horseracing and Sporting Art is now fully open. As the cultural home of horseracing the town is famous and revered. It is totally unacceptable to continue to ruin its appeal with a tawdry sex establishment opposite the King Edward VII Memorial Hall and Memorial Gardens, a community centre and hub of public facilities. These premises are located at the start of Newmarket High Street which is the centre piece of this world famous historic town.

It is stated in Appendix F under paragraphs 2 and 3 that:-

“The Council may refuse:- (a) an application for grant or renewal of a licence on one or more of the grounds shown in paragraph 3 below; or (b) an application for transfer of a licence under either or both of the grounds shown in Paragraph 3(a) and 3(b) below.”

Paragraph 3 (d) reads as follows:-

“..... that the grant or renewal of a licence would be inappropriate having regard to:- 1. The character of the relevant locality; 2. The use by which any premises in the vicinity are put; or 3. The layout, condition or character of the premises in respect of which the application is made.”

For reasons stated above, the Town Council is of the view that the renewal of a licence for these premises would be inappropriate having regard to each and every one of the matters set out in Appendix F Clauses 2 and 3 (d).

In addition, the High Street is currently being improved and regenerated by the BID and the High Street Regeneration Committee. Our focus is to develop A1 and A2 Retail Premises and to make it an attractive centre for both residents and tourists, including the Legends of the Turf Walk of Fame (which include the High Street) and the Bill Tutte Memorial. On this basis this Sex Establishment proposal is totally out of keeping with our High Street.

Examination of the application also reveals that the size of the signage at 2300 x 1500 mm is outside the legal permitted size of 420 x 594mm. The size of the signage remains inappropriate for the Conservation Area and would be inappropriate, and on this basis Newmarket Town Council strongly objects.

As set out above, this Sex Establishment Licence must be refused as it is in close proximity to places of worship, family leisure amenities, domestic residential buildings, important historic buildings, youth facilities and important public and cultural facilities, and is the gateway to Newmarket High Street.

We request that the Council also takes into account the Cumulative Impact Policy when determining this application.

Furthermore, this licence must be refused pursuant to section 21.4 of the FHDC's Sex Establishment Policy as "the grant of the licence would be inappropriate considering the character of the area, the nature of other premises in the area, and/or the premises themselves."

Additionally, Objective 6 of the emerging Newmarket Neighbourhood Plan is to create a vibrant, attractive town centre which enhances Newmarket as a major tourist destination. A sex establishment in the heart of the town on the historic High Street does not meet with this objective.

In summary, Newmarket Town Council continues to object to the FHDC Licensing Committee's flagrant refusal to adhere to its own Sex Establishment Policy in this matter to the detriment of historic Newmarket.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'R. Bennett'.

Roberta Bennett
Town Council Manager