

Application for a Licence for a Sex Establishment (Sex Shop or Sex Cinema)

Local Government (Miscellaneous Provisions) Act 1982

This Authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

Please read the following instructions and any guidance leaflet enclosed with this document before completing your application form.

1. If you are completing the form by hand please write legibly in BLOCK CAPITALS and write in BLACK INK.
2. In all cases ensure that your answers are inside the boxes. Use additional sheets as necessary.
3. The Licensing Authority will notify you of any error or omission in the application. If you fail to rectify any error the Licensing Authority may refuse your application.
4. The completed application must be returned to The Licensing Team, East Lindsey District Council, The Hub, Mareham Road, Horncastle, Lincolnshire, LN9 6PH
5. The application must be accompanied by the appropriate application fee. Details of application fees are available by contacting the Licensing Team. Cheques should be made payable to 'East Lindsey District Council'. Please note that we no longer accept cash for the payment of licence application fees.

The Licensing Team is able to provide facilities for licence payments by credit or debit cards. Further information is available by contacting the Licensing Team direct.
6. The application must be accompanied by a scale plan of the premises, which meets the detailed requirements described in Appendix A at the rear of this form. The recommended scale of the plan is 1:100. Any different scale plan must be agreed with the Licensing Team prior to the submission of the licence application. The plan must show all means of ingress and egress to and from the premises, parts used in common with any other building, and details of how the premises lie in relation to the street.
7. The Licensing Authority may consult with the Chief Officer of Police and Lincolnshire Fire and Rescue in relation to the licence application.
8. The licence application must be advertised at the premises and in a local newspaper circulating in the area of the premises concerned. A template for the required notice is available by contacting the Licensing Team. A copy of the newspaper in which notice of the application has been published must be forwarded in due course to the Licensing Team.
9. You are advised to fully acquaint yourself with the Council's Sex Establishment Licensing Policy and Standard Licence Conditions in relation to sex establishments before submitting a licence application. As part of the application, you must submit an Operating Schedule showing how you will operate the premises, so as to comply with the Council's standard licence conditions.
10. Any premises from which a sex establishment operates may require planning permission. Applicants are advised, therefore, to contact this Authority's Development Control Team, for further information regarding planning matters. Building works may also require approval from the Council's Building Control Section.

11. This application form relates to a sex shop or a sex cinema. We have a separate application form if you wish to apply for a Sexual Entertainment Venue Licence (e.g. for a pole or lap dancing venue).

12. **Licence Renewal Reminders**

All licence holders will normally be sent a reminder and the necessary forms of renewal approximately six weeks in advance of the expiry of a licence.

Please note the responsibility for renewal rests with the licence holder. Reminders are sent purely as courtesy.

Further information is available by contacting the Licensing Team.

Application for a Licence for a Sex Establishment (Sex Shop or Sex Cinema)

Section A – What do you want to do?

1. Please indicate what you would like to do (please tick the appropriate box):
- a) Apply for a sex establishment licence in respect of a new premises
 - b) Apply for renewal of a sex establishment licence
 - c) Apply for transfer of a sex establishment licence

Section B – General Information (including applicant details)

2. Name of Premises:

3. Address of Premises (including post code):

4. Telephone number of the premises:

5. Please state whether you are applying for a premises licence as:

An individual or individuals..... (Answer Question 6)

A person other than an individual(s) (i.e. a partnership, limited company, etc.)..... (Answer Question 7)

6. Individual Applicants (fill in as applicable):

Full Name (include Mr/Miss/Mrs/Ms):

Postal Address (including post code):

Date of Birth:

Daytime Contact
Telephone Number:

E-Mail Address:

Full Name (include Mr/Miss/Mrs/Ms):

Postal Address (including post code):

Date of Birth:

Daytime Contact Telephone Number:

E-Mail Address:

7. Applicants other than an individual person (fill in as applicable):

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture, please give the name and address of each party concerned.

Name:

Address (including post code):

Registered Number (where applicable):

Description of applicant (for example partnership, company):

Telephone Number:

E-Mail Address:

Website Address:

8. Name, address (including post code), telephone and e-mail of agent (e.g. solicitor) if submitted on behalf of the applicant:

9. Address (including post code) to which communications are to be sent:

10. What is the nature of the applicant's interest in the premises?

Please state whether it is:

a) freehold; or If freehold go to question 13.

b) leasehold: If leasehold answer questions 11 and 12.

11. If leasehold, please state the name, address and postcode of the landlord:

12. To the applicant's knowledge, has the landlord consented to the use of the premises as a licensed sex establishment?

YES NO If YES, what evidence is available to support this?

Section C - Operation of the Business (Operating Schedule)

As part of the application, you must submit the following Operating Schedule showing how you will operate the premises, so as to comply with the Council's standard licence conditions. In particular the Operating Schedule must detail:

- the measures to prevent the interior of the premises being visible to passers-by.
- the appearance and content of any advertising material outside and inside the premises.
- the means by which under 18s will be prevented from entering the premises.

A copy of the standard conditions is available by contacting the Licensing Team.

13. Under what name will the business be known?

14. a) Is the application in respect of:

a sex shop or a sex cinema

b) State whether the application is in respect of:

a premises a vessel

a vehicle a stall

15. Please describe the appearance and content of any proposed advertising material outside and inside the premises. This description must include any proposed advertisements or displays to be exhibited, providing examples where available, including those to be displayed on the front, façade or fascia of the premises; on leaflets; or on the internet:

16. What means will be taken to:

a) Prevent the interior of the premises being visible to passers-by?

b) Prevent under 18s gaining entry to the premises?

17. Please use this space to provide any other relevant information on how you will operate the premises, so as to comply with the Council's standard licence conditions:

18. Give details of the proposed opening hours (hours and days of the week):

19. Will the premises require any seasonal or other variations in relation to hours (e.g. longer or different hours for New Years Eve or Bank Holidays)?

20. Are the whole of the premises described in response to Question 3 above to be used under the sex establishment licence?

YES NO

21. If the answer to question 20 above is 'NO' please state:

a) which part of the premises is to be used for the purposes of the sex establishment licence:

b) the use to which the remainder of the premises are put:

c) the names and addresses of those who are responsible for the management of the remainder of the premises:

22. Are the premises which are to be used for the purposes of the sex establishment licence so constructed or adapted as to permit access to and from the premises for members of the public who are disabled?

YES NO

23. If the answer to question 22 above is 'NO' please state the applicant's proposals for affording such access:

24. Please provide details of those persons involved in the management of the sex establishment premises in the absence of the licence holder:

Date of birth	
Permanent address	
Former name (if any)	
Surname	
Forename	

26. In respect of all persons or the body / company listed in this sex establishment licence application please give details of all previous convictions (apart from those deemed 'spent' under the terms of the Rehabilitation of Offenders Act 1974) and relevant cautions:

Forename	
Surname	
Date of conviction	
Place of conviction	
Nature of offence	
Sentence	

27. Have you any reason to believe that any prosecutions are pending against any of the persons / bodies whose names are given in this sex establishment licence application?

YES NO If 'YES' give details:

28. Has any person / body named in this application been associated in any way with any other application for a licence for a sex establishment or sexual entertainment venue (SEV) in the United Kingdom (including where an application for a licence was refused)?

YES NO

If 'YES' give full details (including the name and address of the premises and the name of the Local Authority).

29. Is there in force, against the applicant or any of the persons whose names appear in the application, a disqualification from holding a licence for a sex establishment under Section 17(3) of the Local Government (Miscellaneous Provisions) Act 1982?

YES NO If 'YES' give full details:

30. Is there any further information which the applicant would wish the Council to take into account when considering this application? This space may also be used to amplify any replies to other questions.

YES NO If 'YES' give full details:

Continue on separate sheet if necessary

APPLICANTS ARE WARNED THAT ANY PERSON WHO, IN CONNECTION WITH AN APPLICATION FOR THE GRANT, RENEWAL OR TRANSFER OF A LICENCE MAKES A FALSE STATEMENT WHICH HE KNOWS TO BE FALSE IN ANY MATERIAL RESPECT, OR WHICH HE DOES NOT BELIEVE TO BE TRUE, IS GUILTY OF AN OFFENCE AND LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING TWENTY THOUSAND POUNDS (£20,000).

This Authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

Your information will be processed in accordance with the law, in particular the Data Protection Act 1998 and the Freedom of Information Act 2000. The information that you provide will only be used for Council purposes unless there is a legal authority to do otherwise.

DECLARATION

I

declare that the information given above is true and complete in every respect.

Dated this day of

Signature:

Designation of Signatory:

Application for Sex Establishment Licence

Statement of Policy about Relevant Convictions

When submitting an application for a sex establishment licence you are requested to declare any convictions or cautions you may have unless they are regarded as "spent" under the Rehabilitation of Offenders Act, 1974. The information you give will be treated in confidence and will only be taken into account in relation to your application.

The disclosure of a criminal record or other information will not debar you from gaining a licence unless the Authority considers that the conviction or caution renders you unsuitable. In making this decision the Authority will consider the nature of the offence, how long ago and what age you were when it was committed and any other factors, which may be relevant.

Any applicant refused a sex establishment licence on certain specific grounds has a right of appeal to a Magistrates' Court. However, not all grounds of refusal carry a right of appeal. Further information on rights of appeal is available by contacting the Licensing Team.

If you would like to discuss what effect a conviction or caution might have on your application you may contact the Council's Licensing Team.

Form Last Revised February 2023

Contact Details:

Licensing Team
East Lindsey District Council
The Hub
Mareham Road
Horncastle
Lincolnshire
LN9 6PH

Tel: 01507 601111
E-Mail: licensing@e-lindsey.gov.uk
Website: www.e-lindsey.gov.uk

For Office Use Only

Payment received:

Basic CRB disclosure received:

Appendix A - Application for a Licence for a Sex Establishment - Plan of the Premises

The licence application must be accompanied by a scale plan of the premises, which meets the detailed requirements described below. The recommended scale of the plan is 1:100. Any different scale must be agreed with the Licensing Authority prior to the submission of the licence application.

The plan must show:

1. The layout of the premises including any seating layout for the use of customers.
2. The extent of the boundary of the premises outlined in red.
3. The extent of the public areas outlined in blue.
4. Uses of different areas in the premises.
5. Structures or objects (including furniture) which may impact on the ability of individuals to use exits or escape routes without impediment.
6. Location of points of access to and egress from the premises.
7. Any parts used in common with other premises.
8. Position of CCTV cameras
9. Where the premises includes any steps, stairs, elevators or lifts, the location of the same.
10. The location of any public conveniences, including disabled WCs.
11. The position of any ramps, lifts or other facilities for the benefit of disabled people.
12. Any level changes at the entrance to or within public parts of the premises which may be inaccessible to disabled people.
13. The location and type of any fire safety and any other safety equipment.
14. The location of any kitchen on the premises
15. The location of emergency exits.

The plan must also show how the premises lie in relation to the street.

Data Protection Notice – Sex Establishment Licence

East Lindsey District Council is a Data Controller and can be contacted at: The Hub, Mareham Road, Horncastle, Lincolnshire, LN9 6PH Tel: 01507 601111

The Data Protection Officer for this Authority can be contacted at the same address.

We are collecting your personal data in order to process your application under Licensing Legislation as we are the Licensing Authority.

Your data will not be shared with third parties but may be used for Council purposes, in order to prevent or detect crime, to protect public funds or where we are required or permitted to share data under other legislation.

In line with our retention policy your data will be kept for the period of time that you hold a licence with this Authority and then for a further 6 years after your last licence expires. The data will then be deleted / destroyed at the end of the aforementioned 6 year period.

You have the right to access your data and to rectify mistakes, erase, restrict, object or move your data in certain circumstances. Please contact the Data Protection Officer for further information or go to our website where your rights are explained in more detail. If you would like to receive an explanation of your rights in paper format please contact the Data Protection Officer.

Any complaints regarding your data should be addressed to the Data Protection Officer in the first instance. If the matter is not resolved you can contact the Information Commissioner's Office at:

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Tel: 0303 123 1113

If you do not provide the information required on the form then we will not be able to process your application for a licence.

For further information on our Data Protection Policies please go to our website: www.e-lindsey.gov.uk