

Application for the grant, renewal or transfer of a Sex Establishment licence pursuant to:-
 Local Government (Miscellaneous Provisions) Act 1982 Schedule 3
 As amended by the **Policing and Crime Act 2009 (Section 2 and Schedule 3)**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST
Completing the Application Form

If you are completing this form by hand, please write legibly in black ink. Use additional sheets if necessary (marked with the number of the relevant question) you may wish to keep a copy of the completed form for your records.

IMPORTANT NOTES

- (1) All questions must be answered, save where otherwise stated. If relevant questions are not answered, the application will be deemed incomplete and returned to the applicant.
- (2) Any person who, in connection with an application for a grant, renewal or transfer of a sex establishment licence makes a false statement which he knows to be false in any material respect of which he does not believe to be true is guilty of an offence and liable on summary conviction to a fine.
- (3) Please send the completed application form to Licensing Partnership, P.O. Box 182, Sevenoaks, Kent. TN13 1GP

A. APPLICANT DETAILS:

1.	Is the application being made by:-	Tick or enter where appropriate:		
	(a) An individual? Please go to question 2			
	(b) A Company or other Body Corporate? Please go to question 3 & 5			
	(c) A Partnership or other unincorporated body? Please answer questions 4 & 5			
2.	If the applicant is an individual please give the following information:-			
	(a) Full name of the applicant.			
	(b) If the applicant has ever been known by a different name, please state the former name. Please go to question 5			
3.	If the applicant is a Company or other corporate body please give the following information:-			
	(a) The name of the applicant?			
	(b) Where is the applicant registered?			
	(c) What is the registered number of the applicant?			
	(d) Has the applicant previously been known by any and if so what name?			
	(e) Has the applicant:	YES NO		
	• Ever been convicted of a criminal offence?	<table border="1" style="width: 100%; height: 30px;"> <tr> <td style="width: 50%;"></td> <td style="width: 50%;"></td> </tr> </table>		

- Ever had a grant or renewal of a sex establishment licence refused or a sex establishment licence revoked?

- Ever been served with a winding up petition?

If the answer to any of these questions is Yes, provide full details.

(f) What are the names of the Applicant's Directors.

(g) Are there persons responsible for the management of the applicant other than the Directors and the Company Secretary? If so, state their names.

(h) State the names of all persons with a shareholding greater than 10% in the applicant.

(i) Is the applicant a wholly owned subsidiary of another company or corporate body? If so state the name, place of registration and identity of its Directors and Company Secretary.

Please go to question 5

4. If the applicant is a partnership or other unincorporated body please give the following information:-

(a) The name of the applicant.		
(b) The name of the applicant's partners.		
(c) Are there persons responsible for the management of the applicant other than the partners? If so, state their names		
(e) Has the applicant ever had a grant or renewal of a sex establishment licence refused or a sex establishment licence revoked?	YES	NO

If the answer is Yes, provide full details.

Please go to question 5

5. Does the applicant have a trading name different from that given in answer to questions 2, 3 or 4 above? If so, state the trading name.		
6. What is the Applicant's trading address?		
7.	YES	NO
Will the business for which a licence is sought be carried on for the benefit of a person other than the applicant?		
If the answer is Yes, state the name of such person(s). If such person(s) are a company or other corporate body state their place of registration and registered number, and the identity of all Directors, the Company Secretary and those with a greater than 10% shareholding.		
8. Does the Applicant operate any other sex establishments, whether licensed or not?		
If so, state the name, address and type of sex establishment (e.g. sex cinema, sex shop, sexual entertainment venue) of each.		
9.	YES	NO
For each of the individuals named in the answers to questions 2, 3, 4, 7 and 8, please confirm that the form at Annex A to this application has been completed and submitted as part of this application.		

B. THE PREMISES, VEHICLE VESSEL OR STALL TO BE THE SUBJECT OF A LICENCE

10. Is the application in respect of:-	
(a) Premises	
(b) Vehicle	
(c) Vessel	
(d) Stall	
11. Answer only where the application is for a vehicle, vessel or stall	
Where is it proposed to use the vehicle, vessel or stall?	

12 Answer only where the application is for a premises

What is the full address of the premises for which a licence is sought?

13. YES NO

(a) Is the whole of the premises to be used as a sex establishment?

<input type="checkbox"/>	<input type="checkbox"/>
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(b) If not, state the use of the remainder of the premises

(c) State the names of those who are responsible for managing the remainder of the premises.

14. (a) State the nature of the applicant's interest in the premises, vehicle, vessel or stall, e.g. owner, lessee, sub-lessee.

(b) If the applicant is a lessee or sub-lessee, state:

(i) the name and address of the landlord;

(ii) the name and address of the superior landlord (if any);

(iii) the amount of the annual rental;

(iv) the length of the unexpired term

(v) the length of notice required to terminate the tenancy.

15 (a) State the current use of the premises.

(b) Is there a planning permission for the use of the premises, vehicle, vessel or stall as a sex establishment?

YES	NO

(c) If so, state the date of the planning permission.

(d) If not, state whether and why the use as a sex establishment is lawful, e.g. because there is a certificate of lawful use, giving full details.

16

(a) Are the premises, vehicle, vessel or stall licensed under any other Act, e.g. the Licensing Act 2003? Provide full details including the name of any Designated Premises Supervisor.

(b) Does the applicant intend to obtain a licence under any other Act or to apply to vary any existing licence under any other Act? If so, provide full details.

YES	NO

(c) Does the Applicant intend to operate the sex establishment in conjunction with any other licence? If so, provide full details.

17.

a) Is each customer access to the premises, vehicle, vessel or stall:

- Directly from the street or a public thoroughfare?
- From other premises? If so where from.

YES	NO

if from other premises, provide full details.

(b) Is each customer access from the street to be supervised at all times the premises are open to the public?

If the answer is No give full details of proposed door control and supervision.

YES	NO

(c) State whether all door supervisors are to be licensed with the Security Industry Authority.

YES	NO

18.

Are the premises, vehicle, vessel or stall so constructed or adapted and aid out as to permit access to, from and within the premises (including WC facilities) for members of the public who are disabled?

YES	NO
<input type="checkbox"/>	<input type="checkbox"/>

If the answer is No, state the applicant's proposals for affording such access.

19.

(a) Are the premises, vehicle, vessel or stall being used as a sex establishment at the date of this application?

YES	NO
<input type="checkbox"/>	<input type="checkbox"/>

(b) If the answer is yes, state the name and address of the person or body now operating the business.

C. THE BUSINESS

20.

Under what name will the business be known?

21.

Is the application in respect of:

a. A sex shop?

h. A sex cinema?

c. A sexual entertainment venue?

22.

Has the applicant entered into any agreement (whether written or oral) in connection with the business, other than a tenancy agreement or lease, for example, a management agreement, partnership agreement or profit share arrangement? If so, provide full details together with a copy of any such agreement.

23.

Give the name and addresses of any lenders, mortgagees or others providing finance with the full terms of such agreements.

24.

Is the business required to purchase merchandise from a particular person or body? If so provide full details.

D. MANAGEMENT OF THE BUSINESS

25.

(a) State the identity of the person who will be responsible for the day to day management of the business at the premises, vehicle, vessel or stall ('the Manager').

(b) Confirm that the Manager will be based at the premises, vehicle, vessel or stall and that management of the business there will be his/her sole and exclusive occupation.

(c) Which person(s) will be responsible for the day to day management of the business in the absence of the Manager ('the Relief Manager(s)')?

(d) Confirm that the Relief Manager(s) or one of them will be based at the premises full- time in the absence of the Manager.

(e) For each of the Manager and Relief Manager(s), confirm that the form at Annex A to this application has been completed and submitted as part of this application.

26.

This question need not be answered in the case of renewals

Give details of the times during which it is proposed to open the business.

Days of the week

Hours of the day

27

State proposals in respect of exterior signage and advertising, including the nature, content and size of such signage, and any images to be used.
Please note that a plan of the exterior showing such signage and advertising is required to be submitted with this application.

28.

(1) What steps are to be taken to prevent the interior of the premises being visible to passers-by?

(2) What if any window displays are to be exhibited? Please indicate the size and nature of any intended display.

29.

State any proposals for solicitation of business in public areas, e.g. through fliers, business cards, billboard advertising, personal solicitation or advertising on motor vehicles.

30.

State what age restrictions are to be applied in respect of admissions, and how are these to be enforced. In answering, state what forms of identity will be accepted and whether it is proposed to use electronic identification systems. For sex shops provide details of arrangements for preventing proxy sales.

31.

State the arrangements for CCTV and for retention of recordings.
In answering, state whether all public areas are to be covered by CCTV at all times the business is open and whether the feed from all cameras will be recorded

32

Answer only where the application is for a sexual entertainment venue

(1) State whether the proposal is for full nudity.

YES	NO

(2) Give full details of the nature of the entertainment, e.g. lap- dancing, pole dancing, stage strip-tease.

(3) State what if any separation between performers and audience is proposed, e.g. performers on stage, 1 metre, no contact or full contact.

(4) State whether arrangements are proposed for private booths or areas. If so, provide full details, including proposals for supervision of such areas.

33.

This question need not be answered in the case of renewals

(1) State proposals for preventing nuisance to residents and businesses in the locality.

(2) State proposals for promoting public safety

(3) State proposals for preventing crime or disorder

(4) State proposals for protecting children from harm

(5) Set out the Applicant's system for checking the age and right to work in the UK for all employees.

6) For sexual entertainment venues, set out the system for training all staff in the Code of Practice for performers, and for monitoring and enforcing compliance.

Note, the Code of Practice must be attached to this form.

(7) For sexual entertainment venues, set out the system for notifying customers of the Rules for Customers, and for monitoring and enforcing compliance.

Note, the Rules for Customers must be attached to this form.

(8) For sexual entertainment venues, set out the system for monitoring compliance with the venue's Policy for Welfare of Performers.

Note, the Policy for Welfare of Performers must be attached to this form.

34

Set out any further information which you wish the authority to take into account. Include here any proposed conditions (you may attach a schedule of such conditions) or any reason relied upon to provide an exception to the authority's Sex Establishment Licensing Policy.

35

Is there any information on this form which you do not wish to be seen by members of the public? If so, state which information and the reasons why you do not wish it to be seen.

Please give the contact details which you would like used for the purposes of this application

Name

Organisation

Address

Telephone Number

Mobile Number

E-mail address

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).

E. SIGNATURE AND DECLARATION

The following declaration must be signed in all cases:

- a. If the applicant is an individual, by that individual;
- b. If the applicant is a partnership, by all individuals who are partners;
- c. If the applicant is a company, by a director or the company secretary;
- d. In any other case, by a duly authorised officer of the applicant.

Should the information provided in relation to this application form cease to be correct, or if there are any changes in the information provided in the application form between the date the application is submitted and the date it is determined, the applicant must advise the licensing authority immediately. Failure to do so may result in any licence issued being revoked.

I/we certify to the best of my/our knowledge and belief that the information given in this application is complete and correct in every respect.

I/we agree to notify the Council should any of the information given in this application change.

Name	
Position in organisation	
Date	
Signature	

Name	
Position in organisation	
Date	
Signature	

Name	
Position in organisation	
Date	
Signature	

Name	
Position in organisation	
Date	
Signature	

Name	
Position in organisation	
Date	
Signature	

THIS APPLICATION SHOULD BE COMPLETED IN FULL AND RETURNED TO THE LICENSING PARTNERSHIP, P.O BOX 182, SEVENOAKS, KENT. TN13 1GP

PLEASE NOTE THAT THE APPLICATION MUST BE ACCOMPANIED BY THE FOLLOWING:-

1. In respect of individual applicant and each of those named in response to Questions 3, 4, and 7, a birth certificate.
2. 1 copy of a passport size photograph in respect of the applicant (if an individual) and each of those whose names appear in response to Questions 3, 4, and 7. The photographs are to be dated, bear the name in block capitals of the person whose likeness it bears, and be signed by the person making the above Declaration.
3. All Annex A forms relevant to the application.
4. The Annex B form and all the required documents included – this form applies to new applications only.
5. Please check our website for the current fee level.

ANNEX A

Information on individual please state:		
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Dr <input type="checkbox"/> Other <input type="checkbox"/>	
Name		
Former name (if any)		
Permanent Residential Address		
Postcode:		
If Resident at this address for less than 3 years, state previous Address		
Postcode:		
Date of Birth:		
Telephone	Daytime:	
	Mobile:	
	Evening:	
Email address:		
<i>(please give as many contact details as possible in case we need to contact you)</i>		
Position in relation to Applicant (e.g. Director, Partner, Manager)		
	YES	NO
1. Have you been resident in the United Kingdom for more than six months prior to the date of the application?		
2. Have you ever been disqualified from holding a sex establishment licence under Schedule 3 paragraph 17 of the Local Government (Miscellaneous Provisions) Act If so, give full details.		
3. Have you ever been involved in the management of a business, whether as proprietor, director, company secretary, partner, manager, supervisor or otherwise which has had any of the following types of licence refused, refused on renewal, reviewed or revoked?		
	YES	NO
• Sex establishment licence.		
• Licence for the sale or supply of alcohol		
• Licence for the provision of entertainment, whether sexual or otherwise		
• Personal licence under the Licensing Act 2003.		

If so, provide full details.									
4. Have you ever been convicted of a criminal offence (for relevant offences please see the guidance at page 4) , whether in the United Kingdom or elsewhere? If so, provide details of the date, convicting court, offence and penalty imposed.	<table border="1"> <thead> <tr> <th>YES</th> <th>NO</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </tbody> </table>	YES	NO	<input type="checkbox"/>	<input type="checkbox"/>				
YES	NO								
<input type="checkbox"/>	<input type="checkbox"/>								
5. To your knowledge are you currently the subject of any criminal investigation? If so, provide full details.	<table border="1"> <thead> <tr> <th>YES</th> <th>NO</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </tbody> </table>	YES	NO	<input type="checkbox"/>	<input type="checkbox"/>				
YES	NO								
<input type="checkbox"/>	<input type="checkbox"/>								
6. Have you ever had any civil legal action taken against you? If so, provide full details.	<table border="1"> <thead> <tr> <th>YES</th> <th>NO</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </tbody> </table>	YES	NO	<input type="checkbox"/>	<input type="checkbox"/>				
YES	NO								
<input type="checkbox"/>	<input type="checkbox"/>								
7. Have you ever been declared bankrupt or entered into an arrangement with creditors or an Individual Voluntary Arrangement? If so, provide full details.	<table border="1"> <thead> <tr> <th>YES</th> <th>NO</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </tbody> </table>	YES	NO	<input type="checkbox"/>	<input type="checkbox"/>				
YES	NO								
<input type="checkbox"/>	<input type="checkbox"/>								
8. Have you ever been disqualified from acting as a company director? If so, provide full details.	<table border="1"> <thead> <tr> <th>YES</th> <th>NO</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </tbody> </table>	YES	NO	<input type="checkbox"/>	<input type="checkbox"/>				
YES	NO								
<input type="checkbox"/>	<input type="checkbox"/>								
8. Is there any other information which you believe the licensing authority would reasonably expect notice of or you would like the licensing authority to take into account when considering the information you have supplied? If so, provide full details.	<table border="1"> <thead> <tr> <th>YES</th> <th>NO</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th>YES</th> <th>NO</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </tbody> </table>	YES	NO	<input type="checkbox"/>	<input type="checkbox"/>	YES	NO	<input type="checkbox"/>	<input type="checkbox"/>
YES	NO								
<input type="checkbox"/>	<input type="checkbox"/>								
YES	NO								
<input type="checkbox"/>	<input type="checkbox"/>								
Is there any information in this Annex which you do not wish to be seen by members of the public? If so, state which information and the reasons why you do not wish it to be seen									

I DECLARE THAT THE INFORMATION ON THIS FORM IS TRUE AND COMPLETE

Signed:-----

Dated:-----

Convictions To Be Declared In Respect Of Applications for Sex Establishment Licence

If you have been convicted of any of the following offences and they are "unspent" they must be declared on the application form:-

- Sexual offences.
- Offences involving obscenity, violence or dishonesty.
- An offence involving the use, possession or supply of any drug.
- Any breach of requirements of Local Government (Miscellaneous Provisions) Act 1982 schedule 3 as amended.
- An attempt, incitement or conspiracy to commit any of the above offences.

The Rehabilitation of Offenders Act 1974 provides that after a certain period of time, convictions for offences are to be regarded as "spent". Set out below are some examples of when convictions become "spent". Please note it is from the date of **conviction** that the time commences. The periods of time which must elapse in other cases before the conviction becomes "spent" may vary considerably according to the nature of the offence and other circumstances. The rehabilitation period may, for example, be extended by the commission of a further offence during the rehabilitation period.

Further guidance on this may be obtained from the Home Office publication "A Guide to the Rehabilitation of Offenders Act 1974", available for reference at the Licensing Authority or from a solicitor.

Sentence.

Rehabilitation Period.

2½ years (30 months) imprisonment and over whether sentence suspended or not.

Never spent.

Imprisonment or detention in a young offender institution (previously known as youth custody) between six months and 30 months whether sentence was suspended or not.

Ten years.

Imprisonment or detention in a young offender institution (previously known as youth custody) of six months or less whether sentence was suspended or not.

Seven years.

A fine, compensation or community service order.

Five years.

Conditional discharge, bound over or probation order. Also includes fit person, supervision and care orders.

One year or period of probation sentence, whichever is longer?

Absolute discharge.

Six months.

Disqualification, disability or prohibition.

Period of sentence unless a longer period as above (e.g., disqualification and a fine 5 Years)

Remand Home/Approved School/Attendance Centre Orders.

One year after Order expires.

Hospital Order under Mental Health Acts.

5 years, or two and a half years after the order expires (whichever is the longer).

Offences under HM Services - please enquire at the Licensing Authority for periods of rehabilitation.

ANNEX B

(This form only needs to be completed if this is for a new application not a renewal or transfer application)

Site plan requirements:	YES	NO
<p>1. A site plan of radius of ¼ of a mile (scale 1:500) clearly outlining the locality in which the proposed sexual entertainment venue will be situated. The plan should clearly identify the proposed sexual entertainment venue marking the site/premises boundary with a red line and define other types of businesses and residential properties around the site as listed below:-</p> <ul style="list-style-type: none"> • Establishments whose patrons are likely to be adversely affected by the operation of the premises • The proximity of residential premises, including any sheltered housing and accommodation for vulnerable people • The proximity of educational establishments to the premises • The proximity of places of worship to the premises • Access routes to and from schools, play areas, nurseries, children’s centres or similar premises in proximity to the premises • The proximity to shopping centres • The proximity to community facilities/halls and public buildings such as swimming pools, leisure centres, public parks, youth centres/clubs (this list is not exhaustive) • The proximity to conservation areas, historic buildings and tourist attractions • The proximity of other sex establishments 		
2. Drawings showing the front elevation as existing.		
3. Drawings showing the front elevation as proposed including proposed signage, advertising and window display		
Documents to be included with the application:	YES	NO
4. Planning permission		
5. Certificate of lawful use or development		
6. If the Applicant is a company, copies of the Memorandum and Articles of Association of the Company.		
7. If the Applicant is a partnership, a certified copy of the Partnership Deed		
8. A copy of any of other licences for the premises, vehicle, vessel or stall.		
9. Code of Practice for Performers.		
10. Rules for Customers		
11. Policy for Welfare of Performers		

Scale layout plan of the premises (scale 1:100). Requirements for layout plan must show:	YES	NO
(1) The layout of the premises including, e.g., stage, bars, cloakroom, WCs, performance area, dressing rooms.		
(2) The extent of the licensed areas outlined in red		
(3) The extent of the public areas outlined in blue.		
(4) Uses of different areas in the premises, e.g. performance areas, reception.		
(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. Including parts within a Licensing Act 2003 licensed area		
(8) Position of CCTV cameras.		
(9) Where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor.		
(10) Where the premises includes any steps, stairs, elevators or lifts, the location of the same.		
(11) The location of any public conveniences, including disabled WCs.		
(12) The position of any ramps, lifts or other facilities for the benefit of disabled people.		
(13) Any level changes at the entrance to or within public parts of the premises which may be inaccessible to disabled people.		
(14) The location and type of any fire safety and any other safety equipment.		
(15) The location of any kitchen on the premises.		
(16) The location of emergency exits.		
Plans may be considered in other scales by prior agreement with the licensing authority.		
Documents evidencing public notice and service		
	YES	NO
1. Complete copy of newspaper circulating in the area of the authority, containing advertisement of this application (A Blank template is provided with the application form as Annex C)		
2. Copy of notice of application displayed on or near the premises. (A Blank template is provided with the application form as Annex C)		

3. Copy of affidavit or statutory declaration that notice has been displayed as required by Schedule 3 paragraph 10 (10) Local Government (Miscellaneous Provisions) Act 1982		
4. Evidence of service of this application form and all enclosures upon Chief Officer of Police within 7 days after the date of this application		
Note, when the application is made electronically, including all enclosures, the licensing authority will serve the chief officer of police.		

ANNEX C

(Please insert the relevant authority to which the application is being made*)

**LONDON BOROUGH OF BEXLEY
MAIDSTONE BOROUGH COUNCIL
SEVENOAKS DISTRICT COUNCIL
TUNBRIDGE WELLS BOROUGH COUNCIL**

SITE NOTICE & NEWSPAPER ADVERTISEMENT

(For site notices, this notice must be printed on pink A3 paper in Black 20 point Times New Roman Font)

**Notice of application for grant/renewal/transfer [delete as applicable]
of a Sex Establishment Licence pursuant to Schedule 3
Local Government (Miscellaneous Provisions) Act 1982**

TAKE NOTICE that on [date] [name(s) of Applicant applied to *London Borough of Bexley/Maidstone Borough Council/Sevenoaks District Council/Tunbridge Wells Borough Council for the grant/renewal/transfer [delete as applicable] of a sex establishment licence.

NAME AND ADDRESS OF PREMISES/LOCATION OF VEHICLE/VESSEL/STALL [delete as applicable]

{Note, the precise address or location, sufficient to identify the location and extent of the premises, vehicle, vessel or stall, must be given}

DAYS AND HOURS OF OPERATION:

ACTIVITY: Sex shop/sex cinema/sexual entertainment venue [delete as applicable]

The application may be inspected at the offices of the Licensing Department, Sevenoaks District Council, Argyle Road, Sevenoaks, TN13 1HB

ANY PERSON wishing to make objections on the application shall do so in writing at the Council Offices to the Licensing Partnership P.O. Box 182, Sevenoaks, TN13 1GP or by e-mail at licensing@sevenoaks.gov.uk. The grounds of the objection must be stated in general terms. The objection must be received by the Council no later than [insert date 28 days after the date of the application].

Name:

Organisation:

Address:

Signed:

Date: