

Wiltshire Council

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 APPLICATION FOR A LICENCE FOR A SEX ESTABLISHMENT

1. NATURE OF APPLICATION

Please state type of application you are applying for:	Grant Renewal Transfer	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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2. PREMISES TO BE LICENSED

Business name of Premises:	
Address of Premises:	

3. APPLICANT DETAILS

Full Name:	
Current Residential Address: (If a Body Corporate/Unincorporate please give name of Body and address of Registered Office)	
Telephone Number:	
Mobile Number (optional):	
Have you held a Licence for a Sex Establishment in the 12 months immediately preceding the date of this application? If YES, please give address of premises	YES/NO
Has the Licence been revoked?	YES/NO
Have you been refused a Licence in respect of the premises that are the subject of this application within the 12 months immediately preceding the date of this application?	YES/NO

4. IF APPLYING AS AN INDIVIDUAL PLEASE COMPLETE THE FOLLOWING QUESTIONS

Date of Birth:	
Are you resident in the UK?	YES/NO
Have you been resident in the UK for the 6 months immediately preceding the date of this application?	YES/NO

5. OTHER PERSONS RESPONSIBLE FOR MANAGEMENT

Provide details of all Directors/Other Persons responsible for management	Name	Address	Capacity	Date of Birth

6. DETAILS OF PREMISES

Is the premises: <ul style="list-style-type: none">• A building or other permanent structure• A vehicle• A vessel• Other	YES/NO YES/NO YES/NO YES/NO (please describe the premises)
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Full postal address of premises:	
Telephone numbers (s) of premises:	Landline: Mobile:
What name is the premises to be known by?	
Is the whole of the premises to be used under the licence?	YES/NO If NO, please describe how each part of the premises is to be used (include reference to plan)
Are the premises currently authorised under the Licensing Act 2003?	YES/NO If YES, please provide a copy of the Licence.
Is relevant planning consent in place enabling the premises to operate as a sexual entertainment venue?	YES/NO If YES, please provide a copy of the consent. If NO, please give reasons why and provide any evidence of current lawful use of the land or action being taken to remedy the lack of consent.
Is customer access to the premises: <ul style="list-style-type: none"> • From the street or a public thoroughfare? • From other premises? 	YES/NO If YES, please identify the street or thoroughfare if different from the premises address. YES/NO If YES, please provide full details of other premises.
Is each customer access to be supervised by appropriately registered door staff at all times the premises are open to the public?	YES/NO If NO, please provide full details of proposed door control and supervision.

7. OPERATION OF THE PREMISES

Provide details of the times during which the premises will be open to the public. (please use 24 hour clock)	Monday	
	Tuesday	
	Wednesday	
	Thursday	
	Friday	
	Saturday	

	Sunday		
Please provide details of the times during which it is proposed relevant entertainment will be provided. (please use 24 hour clock)	Monday		
	Tuesday		
	Wednesday		
	Thursday		
	Friday		
	Saturday		
	Sunday		
What age restrictions are to be applied in respect of admission to the premises and how are these to be enforced?			
What are the arrangements for CCTV: <ul style="list-style-type: none"> Monitoring; Access by authorised bodies to CCTV images; Retention of images; Production of removable images for Police or authorised officers of the Licensing Authority. 			
Please indicate the relevant entertainment that is proposed to be carried out in the venue and then indicate YES or NO to full nudity:	Lap Dancing	×	YES/NO
	Pole Dancing		YES/NO
	Stage Strip-tease		YES/NO
	Table Dancing		YES/NO
	Strip Shows		YES/NO
	Live Sex Shows		YES/NO
	Other		YES/NO
Please indicate if the premises is to be used as a Sex Cinema	YES		NO

8. GENERAL MANAGEMENT OF THE PREMISES

Describe the system in place for training in respect of the Code of Conduct for Performers, and for monitoring and enforcing compliance.	
Describe the system for notifying customers of the Rules for Customers, and for the monitoring and enforcing compliance.	

9. TO BE COMPLETED IF THE BUSINESS IS TO BE MANAGED BY OR CARRIED ON FOR THE BENEFIT OF A PERSON OTHER THAN THE APPLICANT

Name	Address	Status	Date of Birth (if applicable)	Share holding if a Corporate Body

Has the above held a Licence for a Sex Establishment in the 12 months immediately preceding the date of this application?				YES/NO
If YES, please give details:				
Has the Licence been revoked?				YES/NO
Has the above been refused a Licence in respect of the premises that are the subject of this application within the 12 months immediately preceding the date of this application?				YES/NO
Has the above been convicted of a criminal offence?				YES/NO
If YES, please give full details:				
If the above is an individual are they resident in the UK?				YES/NO
Has the above been a resident in the UK for the 6 months immediately preceding the date of this application?				YES/NO
If the above is a Body Corporate is it incorporated in the UK?				YES/NO

10. FURTHER DETAILS – to be completed in relation to a sex shop application only

What articles are to be offered for sale?	
If this application relates to a Sex Shop, are any part of the premises to be used for displaying films, videos or other moving pictures?	YES/NO
What advertisements or displays are to be exhibited?	
Please give details:	

CHECKLIST

<ul style="list-style-type: none"> • Fee has been made or enclosed (non-refundable) • Enclosed Birth Certificate (if individual) • Enclosed Certificate of Incorporation (if Corporate Body) • Three passport size photographs of the applicant and any person responsible for management of the premises at any time (applicable to sex shop application only) 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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<ul style="list-style-type: none"> • A plan or plans of the premises to the scale of 1:50 or thereabout with details of layout <p><u>Please Note:</u> The following must be supplied to the Council within 10 days of this application.</p> <p>A copy of the publication containing Notice of this application A copy of the Notice exhibited outside the premises</p>	
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DECLARATIONS

Any person who, in connection with an application for the grant, renewal or transfer of a Licence for a Sexual Entertainment Venue, makes a false statement which he/she knows to be false in any material respect of which he does not believe to be true shall be liable to prosecution under Paragraph 21 of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 and on summary conviction shall be liable to a fine of up to £20,000.

The following declaration must be signed in all cases:

- If the applicant is an individual, by that individual
- If the applicant is a partnership, by all individuals who are partners
- If the applicant is a Company, by a Director or the Company Secretary
- In any other case, by a duly authorised officer of the applicant

I/we enclose the requisite fee.	<input type="checkbox"/>
I/we acknowledge that I/we must serve a copy of this application on the Chief of Police within 7 days of the application being submitted to Wiltshire Council.	<input type="checkbox"/>
I/we acknowledge that I/we must ensure that a Notice publicising this application will be displayed for 21 days beginning with the date of the application, on or near the premises and in a place where it can conveniently be read by the public.	<input type="checkbox"/>
I/we acknowledge that I/we must publish a Notice of Application in a newspaper circulating in the local area not later than seven days after the date of application.	<input type="checkbox"/>
I/we agree to forward a complete copy of the Notice of Application to the Council within seven days of the date of application.	<input type="checkbox"/>
I/we certify to the best of my/our knowledge and belief that the information provided in connection with this application is complete and correct in every respect.	<input type="checkbox"/>

I declare my answers to the above questions to be true and complete to the best of my knowledge and belief.

	1.	2.	3.	4.
Signature:				
Print Name:				
Capacity:				
Date:				

**STATUTORY DECLARATION OF CONVICTIONS
FOR THE GRANT / RENEWAL / TRANSFER
OF A SEXUAL ENTERTAINMENT VENUE LICENCE**

TO BE COMPLETED BY THE APPLICANT, DIRECTORS OF ANY COMPANY APPLYING FOR A LICENCE AND ANY OTHER PERSONS WHO WILL BE RESPONSIBLE FOR THE MANAGEMENT OF THE LICENSED PREMISES.

APPLICANT DETAILS	
Full Name:	
Position Held:	
Date of Birth:	
Place of Birth:	
Permanent Address:	
If not resident at the above address for 5 years, please provide relevant address history	

DETAILS OF PREVIOUS CONVICTIONS AND/OR CAUTIONS			
<i>Please give details of any "unspent" convictions or cautions (see overleaf)</i>			
Date of Conviction	Court of Conviction	Nature of Offence	Sentence

* Please photocopy this sheet for each declaration required as part of the application.

CONVICTIONS TO BE DECLARED IN RESPECT OF APPLICATIONS FOR SEX ESTABLISHMENT VENUES

If you have been convicted of any of the following offences and they are “unspent” they must be declared on the **Statutory Declaration of Convictions** form: -

- Sexual offences;
- Offences involving obscenity;
- An offence involving the use, possession or supply of any drug;
- 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.

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 (youth custody) between 6 months and 30 months whether sentence was suspended or not.	10 years.
Imprisonment or detention in a young offender institution (youth custody) of 6 months or less whether sentence suspended or not.	7 years.
Dismissal from the Armed Forces	5 years
A fine, compensation, community service order or detention.	5 years
Conditional discharge, bound over or probation order, including fit person, supervision and care orders.	1 year or period of probation sentence whichever is longer.
Absolute discharge.	6 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	1 year after order expires.
Hospital Order under Mental Health Acts.	5 years, or 2½ years after the order expires (whichever is the longer)

NB: if the sentence was received while under the age of 18 years, the rehabilitation period should be halved.

GUIDANCE NOTES FOR APPLICANTS

THE APPLICATION

- All questions must be answered and documentation and fees provided. The application will not be accepted if questions are left unanswered and relevant documentation and fees are not provided.
- The 'Statutory Declaration of Convictions' must be completed by each of the individuals named in questions 3, 5 and 9 of the application form. These must be submitted with the application.
- The application must be served on Wiltshire Police at:

The Licensing Officer
Wiltshire Police
Trowbridge Police Station
Polebarn Road
Trowbridge
BA14 7EP

This should be done within 7 days of submitting the application to Wiltshire Council.

THE PLAN

The layout plan must show:

- The layout of the premises including any stage, bar, cloakroom, toilets, performance areas and dressing rooms.
- The boundary of the premises outlined in red.
- Public areas outlined in blue.
- Fixed furniture and structures.
- Access in and out of the premises.
- Position of CCTV cameras.
- The position of steps, stairs or lifts and disabled access ramps.
- Fire safety and other safety equipment.
- Location of emergency exits.

PUBLIC NOTICES

A notice must be displayed at the premises to which the application relates for a period of 21 days, from the day following the submission of the application to Wiltshire Council.

If the premises covers an area of more than 50 square metres, a further notice must be displayed every 50 metres along the external perimeter of the premises.

Please see overleaf for example public notice.

Example Notice:

NOTICE OF APPLICATION FOR A SEX ESTABLISHMENT LICENCE

Applicant Name, is applying for the grant of a *Sexual Entertainment Venue / *Sex Shop / *Sex Cinema (*delete as appropriate)
for: *insert full address of the premises.*

The licence, if granted, is to allow the following relevant entertainment to take place:

In respect of sex establishment licence only, for example:

- *Lap Dancing*
- *Pole Dancing*
- *Stage Strip-tease*
- *Table Dancing*
- *Strip Shows*
- *Live Sex Shows*

Any persons wishing to make representation in relation to this application may do so in writing to the Licensing Team, **Wiltshire Council, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN**

Representations may be made up to 28 days from the date of this notice.