

SOUTH LAKELAND DISTRICT COUNCIL
COMMUNITY SERVICES DEPARTMENT
Public Health & Licensing Group, South Lakeland House, Lowther Street,
Kendal, Cumbria, LA9 4UD
Tel: 0845 050 4434 Ext. 7481/7438, Fax: (01539) 737659
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

APPLICATION FOR A SEX ESTABLISHMENT LICENCE

FULL NAME OF APPLICANT:-

ADDRESS OF PREMISES (or details of where a vehicle, vessel or staff are to be operated from):-

THE APPLICANT

1. Is the application being made by:-
 - a) An individual
 - b) A partnership or other unincorporated body
 - c) A body corporate

2. Give the full name of the applicant (i.e. the individual, body corporate or unincorporated body to whom the licence is to be issued). If the applicant is an individual any former names must also be given.

3. Give the following information on behalf of the applicant:-
 - a) Telephone number:
 - b) Address to which communications are to be sent:

4. Give the applicant's permanent address (if an individual) or registered or principal office (if a body corporate or an unincorporated body).

5. If the applicant is an individual the following information is to be supplied:-
 - (i) Date of Birth:
 - (ii) Place of Birth:

6. If the applicant is a body corporate or an unincorporated body complete the table in respect of each of the Directors, the Company Secretary or other persons responsible for the management of the body. In the case of a partnership, details of all the partners must be given.
-

Forename

Surname

Former Name
(if any)

Address

Capacity

Date of
Birth

Place of
Birth

7. Complete the table below in respect of each of the individuals whose names are given in response to Question 2 and 6 above.

Name

Date became
resident in
United
Kingdom

Address of
permanent
residence
throughout
six months
immediately
preceding
this
application

12. If the applicant's interest in the premises is a leasehold one please state:-
- i) Whether a head lease or an under lease
 - ii) a) the name and address of the Landlord (ii)(a)

 - c) the name and address of the superior Landlord (where applicable)

 - iii) the amount of the annual rental or where this is not certain figure, describe the method of calculating the rental.
 - iv) the length of the unexpired term
 - v) the length of notice required to terminate the tenancy
13. Has the applicant a financial interest in the business which is the subject of this application? If "yes", to what extent?
14. Is the whole of the business owned by the applicant?

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

15. Is the application in respect of:-
- a) A sex shop; or
 - b) A sex cinema
16. State whether the application is in respect of:-
- a) Premises
 - b) Vehicle
 - c) Vessel
 - d) Stall
17. Where the licence is sought in respect of a vehicle, vessel or stall where it is to be used as a sex establishment.

18. Where the licence is sought in respect of premises give the full address of the premises in respect of which the licence is sought.
19. Are the whole of the premises described in response to Question 18 above to be used under the Licence?
20. If the answer to Question 19 above is 'no', please state:-
- (i) Which part of the premises is to be used for the purposes of the licence.
 - (ii) The use to which the remainder of the premises are put.
 - (iii) The names of those who are responsible for the management of the remainder of the premises.
21. Are the premises which are to be used for the purposes of the Licence so constructed or adapted as to permit access to and from the premises for members of the public who are disabled?
22. If the answer to Question 21 above is 'no', please state (on a separate sheet) the applicant's proposals for affording such access.
23. Are the premises, vehicle, vessel or stall in use as a sex establishment at the date of this application? If 'yes' give the name and address of the persons or body who now operate the business and (where it is known) the date upon which the premises were first used as such.
24. Were the premises, vehicle, vessel or stall in use as a sex establishment on 22nd December, 1981? If 'yes' give the name of the person carrying on the business at that date.

THE BUSINESS

25. Under what name is or will the business be known?

26. Has the applicant in connection with the business entered into any Agreement or Lease? If 'yes' please supply full details and a copy of the Agreement.
27. If the whole business is now owned by the applicant, state the names and addresses of those who will share in the profits of the business. In each case state the percentage share to be taken by each individual.
- 28.(a) State the total turnover of the business (a) during the 12 months immediately prior to this application.
- (b) What proportion of the turnover derived (b) from:-
- (i) the sale, hire, exchange, loan display or demonstration of sex articles as defined in para 4 of Schedule 3 of the Local government (Miscellaneous Provisions) Act 1982.
 - (ii) the use of premises as a sex cinema.
29. State:-
- (a) the anticipated turnover of the business for the next 12 months:-
- (b) the proportion of the turnover expected to be derived from:-
- (i) the sale, hire, exchange, loan display or demonstration of sex articles as defined in para 4 of Schedule 3 of the Local government (Miscellaneous Provisions) Act 1982; and
 - (ii) the use of the premises as a sex cinema.
30. Give names and addresses of any lenders, mortgagees or others providing finance with the full terms of such loans.

31. Is the business required to purchase merchandise from a particular company, person or body? If 'yes' supply a copy of any Agreement and state what is to be purchased and from whom.

OPERATION OF THE BUSINESS

32. If the application is for a licence for a sex shop state whether any part of the premises is to be used for the purposes of displaying films, video recordings or other moving pictures. If 'yes' state whether cubicles are to be used for viewing and if so how many.
33. What articles are to be offered for sale?
34. What advertisements or displays are to be exhibited? Please indicate size(s) or proposed displays or advertisements.
35. What means are to be taken to prevent the interior of the premises being visible to passersby?
36. What means are to be taken to prevent the emission of any noise from the interior of the premises?
37. Give details of the times during which it is proposed to open the premises:-
- | | | |
|------|------------------|------|
| (i) | Days of the week | (i) |
| (ii) | Hours of the day | (ii) |

38. In respect of each individual who is to be responsible for the management of the premises in the absence of the licence holder please supply the following:-

Forename

Surname

Former
Name
(if any)

Permanent
Address

Date on
which became
resident
in UK

Date of
Birth

Place of
Birth

39. In respect of each of the persons whose names are given in response to Question 2, 6, 8 and 37 give details of their occupations during the 5 years immediately prior to this application. These must include the names and addresses of all employers and the nature and dates of employment.
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Forename

Surname

Former
Name
(if any)

Permanent
Address

Date on
which became
resident
in UK

Date of
Birth

Place of
Birth

DETAILS OF PREVIOUS CONVICTIONS, DISQUALIFICATION ETC

40. In respect of each of the persons or bodies whose names are given in response to Questions 2, 6, 8 and 37 give details of their previous convictions and of any previous convictions of any of their spouses:-
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Forename

Surname

Former name
(if any)

Date of
conviction

Place of
Nature of
conviction

Sentence
offence

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 TEN THOUSANDS POUNDS (£10,000)

DECLARATION

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

Date this.....day of200

Signature.....

Designation of Signatory.....

THIS APPLICATION SHOULD BE COMPLETED IN FULL AND RETURNED TO THE PUBLIC HEALTH & LICENSING GROUP, COMMUNITY SERVICES, SOUTH LAKELAND HOUSE, LOWTHER STREET, KENDAL, CUMBRIA, LA9 4UD.

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

1. In respect of individual applicants and each of these names in response to Questions 6, 8 and 38, a birth certificate.
2. 5 copies of a passport size photograph in respect of the applicant (if an individual) and each of those whose names appear in response to Questions 6 and 38. 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. A site plan scale 1: 1250.
4. Scale plans of the premises (1:50) in respect of which the licence is sought showing (inter alia) 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.
5. Drawings showing the front elevation as existing and as proposed (1:50).
6. Duly certified copies of the documents of title (i.e. land certificate, lease rental agreements) and of any other agreements referred to in response to questions in this application.

7. Where the business is conducted by or on behalf of a body corporate or unincorporated body a certified copy of the Resolution authorising the application.
8. Where the business is carried on by or on behalf of partners the written authority for an application of those partners who are not themselves applicants.
9. If the applicant is a company, copies of the Memoranda and Articles of Association of the Company, the Parent Company and any ultimate Holding Company.
10. If the application is being made on behalf of a partnership, a certified copy of the Partnership Deed.
11. The fee of £5000.00 will be made payable to South Lakeland District Council.

**PLEASE NOTE THAT BEFORE APPLICATION CAN BE CONSIDERED THE FOLLOWING
ADDITIONAL DOCUMENTS WILL HAVE TO BE SUPPLIED:-**

- A. A complete copy of the newspaper circulating in the Council's area in which notice of the application has been published in accordance with paragraph 10 (8) of the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982. Photostat copies of the newspaper will **not** be accepted. Copies of the forms of notice to be used in the newspaper advertisement and for display upon the premises are provided with the applications.
- B. Evidence of the due service of the Notice of Application upon the Chief Officer of Police as required by paragraph 10 (14) of the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982.
- C. Evidence by Affidavit that the Notice of Application has been displayed on or near the premises as required by paragraph 10 (10) of the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982.

SOUTH LAKELAND DISTRICT COUNCIL**LICENCES FOR SEX ESTABLISHMENTS**
NEWSPAPER ADVERTISEMENT

Within seven days of applying for a licence a notice advertising the application has to be published in a local newspaper circulating within the area of South Lakeland District Council. The responsibility for publishing is the applicant's. The District Council is empowered to prescribe the form of notice and accordingly requires applicants to follow the format set out hereunder. Applicants should note that a complete copy of the newspaper in which the advertisement has been inserted should be sent to the Public Health & Licensing Group, Community Services Department, South Lakeland House, Lowther Street, Kendal, Cumbria, LA9 4UD