



LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

**NOTICE OF APPLICATION FOR A SEX
ESTABLISHMENT LICENCE**

NOTICE IS GIVEN THAT **(1)**

Applied to West Lindsey District Council on **(2)** the

day of 20 for a licence to use premises

at **(3)**

as a **(4)** Sex Shop/Sex Cinema

OBJECTIONS

Any person who wishes to object to this application must give notice in writing of his objection to the Licensing Team at West Lindsey District Council, Guildhall, Marshall's Yard, Gainsborough, Lincolnshire DN21 2NA within 28 days of the date of the application which is given above. Objectors must state the general grounds of their objections. The District Council will not reveal the names of the objectors without their consent.

(5) Dated this day of 20

NB. Instructions as to completion of this Notice may be found overleaf.

INSTRUCTIONS AS TO COMPLETION OF NOTICE

At number overleaf

- (1)** Insert the full name of the applicant in block capitals
- (2)** Insert the date upon which the application was delivered to the District Council
- (3)** The address of the premises must be given in block capitals
- (4)** Delete alternatives as appropriate
- (5)** The date upon which the notice is first displayed must be inserted

REQUIREMENTS FOR DISPLAY OF NOTICE

IN ADDITION TO THE REQUIREMENT TO ADVERTISE THE APPLICATION IN A LOCAL NEWSPAPER CIRCULATING WITHIN THE AREA OF THE DISTRICT COUNCIL APPLICANTS FOR LICENCES IN RESPECT OF PREMISES HAVE TO DISPLAY NOTICE OF THE APPLICATION ON OR NEAR THE PREMISES IN A PLACE WHERE IT CAN CONVENIENTLY BE READ BY THE PUBLIC FOR 21 DAYS BEGINNING WITH THE DATE OF APPLICATION. THE RESPONSIBILITY FOR DISPLAYING THE NOTICE IS THE APPLICANT'S AND THE DISTRICT COUNCIL WILL REQUIRE EVIDENCE BY AFFADAVIT THAT THIS REQUIREMENT HAS BEEN COMPLIED WITH. THE DISTRICT COUNCIL IS EMPOWERED TO PRESCRIBE THE FORM OF NOTICE AND ACCORDINGLY REQUIRES APPLICANTS TO FOLLOW THE FORMAT SET OUT OVERLEAF.

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).

DECLARATION

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

Signature Date

Designation of Signatory
.....

THIS APPLICATION SHOULD BE COMPLETED IN FULL AND RETURNED TO THE LICENSING TEAM, WEST LINDSEY DISTRICT COUNCIL, GUILDHALL, MARSHALL'S YARD, GAINSBOROUGH, LINCOLNSHIRE, DN21 2NA.

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

1. In respect of individual applicants and each of those named in response to Questions 6, 8 and 37, a birth certificate.
2. Five 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 37. 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 (ie. 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. A fee of £1,887 is due on application and a further £133 will be due prior to issue of the licence. The total amount of £2,020 can be paid on application if you prefer. The licence will not be issued until the full balance of £2,020 is received. Payment can be made by card / cheque payable to WLDC / BACS).
12. A renewal fee of £317 is due on application and a further £133 will be due prior to issue of the licence. The total amount of £450 can be paid on application if you prefer. The licence will not be issued until the full balance of £450 is received (payment as above).



**APPLICATION FOR A
SEX ESTABLISHMENT
LICENCE/TRANSFER OF
LICENCE/RENEWAL OF
LICENCE**

Full name of Applicant : _____

Address of Premises (or details of where a vehicle, vessel or stall are to be operated from):

WEST LINDSEY DISTRICT COUNCIL

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

**APPLICATION FOR A LICENCE TO USE ANY PREMISES, VEHICLE, VESSEL OR STALL
AS A SEX ESTABLISHMENT**

THE APPLICANT

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

2. Give the full name of the applicant (ie. 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 (during normal office hours) (a)
 - (b) Address to which communications are to be sent (b)
-

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 (i)
 - (ii) Place of birth (ii)
 - (iii) Height (iii)

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	Height

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

Name	Date became resident in the United Kingdom	Address of permanent residence throughout six months immediately preceding this application

8. This question need only be answered where the applicant is a Company.

- | | | | | |
|--|-------|-------|-----------|--------------|
| (i) Is the applicant a wholly or partly owned subsidiary of another company? | (i) | | | |
| (ii) What type of Company is the applicant (eg. public or private limited by share or guarantee etc?) | (ii) | | | |
| (iii) In which Country is the Company incorporated? | (iii) | | | |
| (iv) What is the date of incorporation of the Company? | (iv) | | | |
| (v) Give a full list of names, addresses and holdings of shareholders holding 5% or more of the issued share capital and the number of remaining shareholders. | (v) | Names | Addresses | Shareholding |
| (vi) If the applicant is a subsidiary of another company supply a copy of the memorandum and Articles of Association of the parent company and of any ultimate holding Company and on a separate sheet give the same particulars as are sought in questions 4, 6, 7 and 8 (i to v) | | | | |

9. Is the applicant or any person whose name is given in response to questions 6 or 8 concerned in any way financially or otherwise with any other business which controls, manages or supplies sex establishments?

10. If the answer to Question 9 is 'yes' give the names of the persons concerned, full details of the other business and the nature and extent of the connection.

11. What is the nature of the applicant's interest in the premises? Please state whether it is:

- | | |
|------------------|------|
| (i) freehold; or | (i) |
| (ii) leasehold | (ii) |
-

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

(b) The name and address of the superior landlord (where applicable) (b)
 - (iii) the amount of the annual rental or where there is not a certain figure describe the method of calculating the rental (iii)
 - (iv) The length of the unexpired term (iv)
 - (v) The length of notice required to terminate the tenancy (v)
-

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 (a)
 - (b) Vehicle (b)
 - (c) Vessel (c)
 - (d) Stall (d)
-

17. Where the Licence is sought in respect of a vehicle, vessel or stall state 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 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?

Yes/No

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.

Name
Address

Date

24. Were the premises, vehicle, vessel or stall in use as a sex establishment on 22 December 1981? Yes/No
- If 'yes' give the name of the person carrying on the business at that date. Name Address
-

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 Deed other than the Tenancy Agreement or lease? Yes/No
- If 'yes' please supply full details and a copy of the Agreement.
-

27. If the whole of the business is not 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 during the 12 months immediately prior to this application (a)
- (b) What proportion of the turnover 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; (i)
- (ii) The use of premises as a sex cinema (ii)
-

29. State
- (a) the anticipated turnover of the business for the next 12 months (a)
 - (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 (i)
 - (ii) the use of premises as a sex cinema (ii)
-

30. Give the 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? Yes/No

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) of proposed displays or advertisements.

35. What means are to be taken to prevent the interior of the premises being visible to passers-by?

36. 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)

37. 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 details:

Forename	Surname	Former Name (if any)	Permanent Address	Date on which became resident in UK	Date of Birth	Place of Birth	Height

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

Forename	Surname	Former Name (if any)	Permanent address during period of relevant employment	Employers name & address	Description or nature of work	Period of employment from/to

DETAILS OF PREVIOUS CONVICTIONS, DISQUALIFICATIONS ETC.

39. 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:

Forename	Surname	Former Name (if any)	Date of Conviction	Place of Conviction	Nature of Offence	Sentence

40. Have you any reason to believe that a prosecution may be pending against any of the persons or bodies whose names are given in response to Questions 2, 6, 8 and 37?
If 'yes' give details.
- Yes/No
-

41. Has any person named at any place in this application been associated in any way with any other application for a licence for a sex establishment either in the **District of West Lindsey** or elsewhere?
If 'yes' give full details (including the address of the premises and the Council's reference).
- Yes/No
-

42. Is there in force against the applicant or any of the persons whose names appear in answer to Questions 6, 8, 37 and 39 a disqualification from holding a licence for a sex establishment under the Local Government (Miscellaneous Provisions) Act 1982.
- Yes/No
-

43. 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.

PLEASE NOTE THAT BEFORE THE 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 have been prescribed by the District Council and may be obtained from the Licensing Team, West Lindsey District Council, The Guildhall, Marshall's Yard, Gainsborough, Lincolnshire DN21 2NA.
- 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. A copy of the application including a copy of all enclosures and an additional two photographs as described in note 2 above must be sent to the Chief Constable, Sub Divisional Headquarters, West Parade, Lincoln, not later than 7 days after the date of the application.
- 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.

Privacy Notice: We will use the information you give us to (a) do the tasks we need to do for the job shown in the title of this form (b) carry out any of our official business (c) stop fraud or crime. To find out more about why we need your information, what we do with it and how to contact us if you have any concerns or questions please read our privacy notice. This can be viewed using the following link: www.west-lindsey.gov.uk/licensing-privacy/

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. For further information, see www.west-lindsey.gov.uk/fairprocessingnotice or contact the finance department on, 01427 676560, FinanceTeam@west-lindsey.gov.uk