

**ROSSENDALE BOROUGH COUNCIL LOCAL GOVERNMENT
(MISCELLANEOUS PROVISIONS) ACT 1982**

Guidance applicable to Sex Shop Licences

Notes for Guidance of Applicants for Sex Establishment Licences.

I. THE LICENCE HOLDER

The applicant, if the application is granted, will become the Licence Holder.

2. PUBLIC NOTICES

An applicant must give public notice of the application in the form prescribed by Rossendale Borough Council (see specimen attached hereto). The notice shall in all cases be given by publishing an advertisement in at least one local newspaper circulating in the area within 7 days of the date of the application.

Where an application is in respect of a premises the notice must identify those premises. Where the application is in respect of a vehicle, vessel or stall the notice shall specify where it is to be used as a sex establishment. A copy of the press advertisement must be provided by the applicant.

3. OBJECTIONS

Where the authority receive notice of any objections the authority will provide the applicant with the details of the general terms of the objection before considering the application.

4. ATTENDANCE AT COMMITTEE

The application will be determined by the Licensing Sub-Committee of the City Council and the applicant must attend the meeting at which the application is to be considered.

5. APPLICATION FEE

The application fee of £3,570.00 should be submitted with the application. The application is not valid until the fee is received and cannot be considered by the Committee until after the fee is paid.

6. ELECTRICAL SAFETY CERTIFICATE

An electrical safety certificate, not more than 3 months old, relating to the premises proposed to be licensed, shall be furnished to the Licensing Manager prior to the grant or renewal of a licence.

The following categories of persons or organisations will be acceptable to the Committee as suitable to issue an Electrical Safety Certificate. That is to say:-

- (a) A chartered Member of the Institute of Electrical Engineers;
- (b) A Corporate Member or Fellow of the Institution of Electrical and Electronics Incorporated Engineers;
- (c) An authorised person on behalf of a Member firm or company of the Electrical Contractors' Association (Inc.);
- (d) An authorised person on behalf of a firm or company registered with the Joint Industries Board (J.I.B.) for the Electrical Contracting Industry;
- (e) A certificate holder of the National Inspection Council for Electrical Installation Contracting.

An Electrical Safety Certificate signed by the licensee and/or applicant is not acceptable.

Failure to furnish a satisfactory Electrical Safety Certificate prior to the application being considered by the Licensing Sub-committee will result in the application being declined.

Where the Sex Shop Licence includes entertainment, the following standards enhanced standards will be required;

A fully complete NICEIC or E.C.A. periodic inspection report for the electrical installation in compliance with part 7 of the IEE Regulations 16th Edition. For new buildings a certificate may be deemed valid for up to a period of 3 years from issue subject to there being no material alterations or additions to the installation at the discretion of the licensing authority.

A fully completed NICEIC or E.C.A. Emergency lighting Completion Inspection & Test certificates (Where applicable).

A fully completed NICEIC or E.C.A. Fire Alarm Installation and Commissioning certificate (where applicable).

A fully completed Gas Installation Inspection Report should be provided by a Corgi Registered installer. This report is required to indicate compliance with the Gas Safety (Installation and Use) Regulations 1984.

NICEIC - National Inspection Council for Electrical Installation Contracting
E.C.A. - Electrical Contractors Association

7. In addition to the following standard conditions applicable to licences for sex establishments, the Licensing Sub-committee may impose special conditions on any premises where appropriate:-

- (a) The licensed premises shall be maintained and no alterations shall be made to them in respect of their extent, layout, accommodation, facilities, lighting, construction and decoration, building services and furnishings, as they exist at the time this licence is granted, without the prior consent in writing of the Licensing Manager.

Without prejudice to the generality of Condition (a), the areas provided for the ingress, egress and circulation of the public within the premises shall not be reduced, obstructed or altered without the prior consent in writing of the Head of Environmental Health.

Whilst the premises are in use, they shall be adequately lighted, naturally or artificially, sufficiently to enable persons therein to see clearly all parts of the premises, and to read readily any literature or notices displayed to customers.

Whilst the premises are in use, no door or other barrier which exists within the areas provided for ingress, egress and circulation of the public shall be locked or bolted in any manner which prevents it being opened immediately and easily.

No advertisement matter, photograph, illustration, or statement of any kind shall be displayed on, or in any part of the licensed premises, where it is readily visible to the public not entering the premises, unless it has first been approved by the Local Authority for that purpose.

PRESCRIBED PUBLIC NOTICE/PRESS NOTICE

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT, 1982
LICENSING OF SEX ESTABLISHMENTS

NOTICE IS HEREBY GIVEN THAT I/WE, (1) of
hereby give notice that I/we have applied to Rossendale Borough Council under the (2)
provisions of the Local Government (Miscellaneous Provisions) Act, 1982 for a licence
to use the following premises as a sex shop / sex cinema / sex encounter
establishment: *

Any person wish to make representations about the application should make them (3) in
writing to the Licensing Manager, Rossendale Borough Council, Town Hall,
Rossendale, BB4 7LZ 21 days of the date of this notice.

SIGNED DATED (4)

* Delete as appropriate.

Notes for guidance of applicants - not part of the Notice.

(1) Full name and address of applicant as stated on application form.

(2) Full name (if any) and address of premises to be licensed, sufficient to identify the premises. If

the application is in respect of a vehicle, vessel or stall the applicant shall specify where it is to be used as a sex establishment.

- (3) The latest date for lodging objections must be stated. This is not later than 21 days after the date of the application.
- (4) The date to be inserted should be the date of the application.

When the application is for the renewal of a sex shop licence, the notice should be amended to read "..... 1982 for the renewal of a sex shop / sex cinema / sex encounter establishment licence to use the following premises."

**ROSSENDALE BOROUGH COUNCIL LOCAL GOVERNMENT
(MISCELLANEOUS PROVISIONS) ACT 1982 Terms and Conditions
applicable to Sex Shop Licences**

1. The licensed premises shall be maintained and no alterations shall be made to them in respect of their extent, layout, accommodation, facilities, lighting, construction and decoration, building services and furnishings, as they exist at the time this licence is granted, without the prior consent in writing of the Licensing Manager, Rossendale Borough Council
2. Without prejudice to the generality of Condition No. 1, the areas provided for the ingress, egress and circulation of the public within the premises shall not be reduced, obstructed or altered without the prior consent in writing of the Licensing Manager, Rossendale Borough Council.
3. Whilst the premises are in use, they shall be adequately lighted, naturally or artificially, sufficiently to enable persons therein to see clearly all parts of the premises, and to read readily any literature or notices displayed to customers.
4. Whilst the premises are in use, no door or other barrier which exists within the areas provided for ingress, egress and circulation of the public shall be locked or bolted in any manner which prevents it being opened immediately and easily.
5. No advertisement matter, photograph, illustration, or statement of any kind shall be displayed on, or in any part of the licensed premises, where it is readily visible to the public not entering the premises, unless it has first been approved by the Local Authority for that purpose.
6. Compliance with these terms and conditions do not relax any conditions imposed by the building control or planning authority. They do not preclude compliance with the Cinematograph Acts or Public Entertainment Licence provisions.
7. A notice in 50 millimetre high lettering shall be displayed at the entrance to the premises stating "LICENCED SEX SHOP. NO PERSON UNDER THE AGE OF 18 YEARS MAY BE ADMITTED."
8. No person under the age of 18 years shall be present on the premises, as a customer, potential customer or employee.

9. An authorised officer of Rossendale Borough Council may enter the premises at any time the licence is in force and in use for the purposes of ensuring compliance with these conditions.