



Sex Establishment Policy Statement

**Schedule 3 Local Government (Miscellaneous Provisions) Act 1982, as amended
by Section 27 Policing and Crime Act 2009**

East Staffordshire Borough Council resolved on 6th December 2010 that Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by S.27 of the Policing and Crime Act 2009) shall be adopted and come into force on 6th April 2011.

Contents Page

1. Introduction	3
2. Policy details	3 - 4
3. Purpose and aim of the policy	4
4. Definitions	4 - 8
5. Mandatory Grounds for Refusal	8 - 9
6. Relevant Location of Premises	9 -10
7. Relevant Number	10
8. Making an Application and Process	10 - 11
9. Public Notice	11 - 12
10. Granting a Licence	12
11. Objections and Commenting on licence applications	12 -14
12. Hearings	14
13. Right to appeal a decision	14 -15
14. Fees	15
15. Waiver	15
16. Length of Licence	15
17. Offences	15 -16
18. Interface with the Licensing Act 2003	16
19. Enforcement	16 -17
20. Conditions of Licence	17
20.1. Sex Shops and Sex Cinemas Licence Conditions	17 - 24
20.2. Sexual Entertainment Venue Licence Conditions	24 - 32
20.3. Mail-Order Premises Licence Conditions	32 - 35
21. Contacts	36

1.Introduction

East Staffordshire Borough Council Sexual Establishment Policy sets out the Councils requirements for premises to be licensed as Sex Establishments within the meaning of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by Section 27 of the Policing and Crime Act 2009).

This policy has been drafted as a result of new provisions that allow the Council to regulate lap dancing and similar venues.

East Staffordshire Borough Council adopted the original provisions of Schedule 3 of the 1982 Act for Sex Shops and Sex Cinemas on 13th December 1982 and the new provisions for Sexual Entertainment Venues on 6th December 2010.

Adoption of Schedule 3 also allows the Council to set terms, conditions and fees for the grant, variation, renewal and transfer of such licenses.

East Staffordshire Borough Council resolved on 6th December 2010 that Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by S.27 of the Policing and Crime Act 2009) shall be adopted and come into force on 6th April 2011.

At the time of adopting this Policy Statement no Sex Establishments were licensed by East Staffordshire Borough Council.

The Council does not take a moral stand in adopting this policy. The Council recognises that Parliament has made it lawful to operate 'Sex Establishments' and that such business is a legitimate part of the retail and leisure industries. It is this Council's role as the Licensing Authority to administer the licensing regime in accordance with the law.

2. Policy details

In developing this policy the legal requirements were taken into account of the 1982 and 2009 Acts and our duties under:-

(a) Section 17 of the Crime and Disorder Act 1998 to take all reasonable steps to reduce crime and disorder within the Borough;

(b)The Regulators Compliance Code (set out under the legislative and Regulatory Reform Act 2006) not to impede economic progress by the regulations we set out and to particularly consider the impact of regulations on small businesses;

(c) The Provision of Services Regulations 2009 to ensure requirements are:

- (i) Non discriminatory
- (ii) Justified by an overriding reason relating to the public
- (iii) Proportionate to that public interest objective
- (iv) Clear and unambiguous
- (v) Objective
- (vi) Made public in advance, and
- (vii) Transparent and accessible.

3. Purpose and aim of the policy

The aim of this policy is to provide guidance for prospective applicants, application procedure, terms and conditions and fees regarding the regulation of Sex Establishments.

This document relates to applications for Sex Establishments Licenses covering

- Sex Shops
- Sex Cinemas
- Sexual Entertainment Venues

This document will also guide those who wish to make an objection and Members of the Licensing Committee when determining an application.

Whilst each application will be dealt with on its own merits, this policy gives prospective applicants an indication as to what is expected should an application be made.

The policy will be regularly reviewed and monitored every two years or as necessary should there be changes within the legislation.

4. Definitions

The Act

This refers to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by section 27 of the Policing and Crime Act 2009).

The Policy Statement

This refers to the Sex Establishment Policy Statement.

The Relevant Locality

The Relevant Locality will be the Ward in which the premises, vehicle, vessel or stall, for which the application is being made, are situated or such other area as the Committee considers appropriate as the relevant locality for the application, which they are hearing.

The Character of the Relevant Locality

The character or characteristics of the locality where the premises are situated will be instrumental in determining whether or not the grant of a licence will be appropriate.

The Council

This means East Staffordshire Borough Council.

Sex Shop

(1) "Sex Shop" means any premises, vehicle, vessel or stall used for a business which consists to a significant degree of selling, hiring, exchanging, lending, displaying or demonstrating –

(a) sex articles; or

(b) other things intended for use in connection with or for the purpose of stimulating or encouraging –

(i) sexual activity; or

(ii) acts of force or restraints which are associated with sexual activity.

(2) No premises shall be treated as a sex shop by reason only of their use for the exhibition of the moving pictures by whatever means produced.

(3) "sex article" means –

(a) anything made for use in connection with, or for the purpose of stimulating or encouraging –

(i) sexual activity; or

(ii) acts of force or restraint which are associated with sexual activity; and

(b) anything to which sub-paragraph (4) below applies.

(4) This sub-paragraph applies –

(a) to any article containing or embodying matter to be read or looked at or anything intended to be used, either alone or as one of a set, for the reproduction or manufacture of any such article: and

(b) to any recording of vision or sound, which –

(i) is concerned primarily with the portrayal of, or primarily deals with or relates to, or is intended to stimulate or encourage, sexual activity or acts of force or restraint which are associated with sexual activity; or

(ii) is concerned primarily with the portrayal of, or primarily deals with or relates to, genital organs, or urinary or excretory functions.

Sex Cinemas

(1) “Sex Cinema” means any premises, vehicle, vessel or stall used to a significant degree for the exhibition of moving pictures, by whatever means produced, which-

(a) are concerned primarily with the portrayal of, or primarily deal with or relate to, or are intended to stimulate or encourage –

(i) sexual activity; or

(ii) acts of force or restraint which are associated with sexual activity; or

(b) are concerned primarily with the portrayal of, or primarily deal with or relate to, genital organs or urinary or excretory functions, but does not include a dwelling house to which the public is not admitted.

(2) No premises shall be treated as a sex cinema by reason only –

(a) if they are licensed under [F1 section 1 of the Cinemas Act 1985], of use for a purpose for which a licence under [F1 of that section] is required; or –

[F2 (b) of their use for an exhibition to which section 6 of that Act (certain non-commercial exhibitions) applies given by an exempted organisation within the meaning of section 6(6) of that Act.]

Sexual Entertainment Venue

(1) “Sexual Entertainment Venue” means any premises at which relevant entertainment is provided before a live audience for financial gain of the organiser or the entertainer.

(2) In this paragraph “relevant entertainment” means –

- (a) any live performance; or
- (b) any live display of nudity;

which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether verbal or other means).

(3) The following are not sexual entertainment venues for the purposes of this Schedule-

- (a) a sex cinemas and sex shops;
- (b) premises at which the provision of relevant entertainment as mentioned in sub – paragraph (1) is such that, at the time in question and including any relevant entertainment which is being so provided at that time –
 - (i) there have not been more than eleven occasions on which fall (wholly or partly) within the period of 12 months ending with that time;
 - (ii) no such occasion has lasted for more than 24 hours; and
 - (iii) no such occasion has begun within the period of one month beginning with the end of any previous occasion on which relevant entertainment has been provided (whether or not that previous occasion falls within the 12 month period mentioned in sub-paragraph (i));
- (c) premises specified or described in an order made by the relevant national authority.
- (4) – (12) omitted as they refer to other matters.

(13) For the purposes of this Schedule references to the use of any premises as a sexual entertainment venue are to be read as references to their use by the organiser.

(14) In this paragraph –

“audience” includes an audience of one;

“display of nudity” means –

- (a) in the case of a woman, exposure of her nipples, pubic area, genitals or anus; and
- (b) in the case of a man, exposure of his pubic area, genitals or anus;

“the organiser”, in relation to the provision of relevant entertainment at a premises, means any person who is responsible for the organisation or management of –

(a) the relevant entertainment; or

(b) the premises;

“premises” includes any vessel, vehicle or stall but does not include any private dwelling to which the public is not admitted;

and for the purpose of sub-paragraph (1) and (2) it does not matter whether the financial gain arises directly or indirectly from the performance or display of nudity.”

Relevant entertainment will generally apply to the following types of activity:

- Lap dancing
- Pole dancing
- Table dancing
- Strip shows
- Peep shows
- Live sex shows

However this list is not exhaustive and taking into account that the exact nature of these descriptions may vary, each case will have to be dealt with on its own merits.

5. Mandatory Grounds for Refusal

Specific mandatory grounds for refusal of a licence are set out in the Act. The Licensing Authority is not permitted to grant a licence to

(a) Any person under the age of 18 years;

(b) any person who is for the time being disqualified due to the persons having had a previous licence revoked in the area of the appropriate authority within the last 12 months;

(c) any person, other than a body corporate, who is not resident in an EEA State or was not so resident throughout the period of six months immediately preceding the date when the application was made; or

(d) a body corporate which is not incorporated in an EEA State; or

(e) any person who has, within a 12 months immediately preceding that date when the application was made, been refused that grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.

Note: There is no right of appeal against refusal on these grounds.

A licence may be refused where:

(a) the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;

(b) if the licence were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he made the application himself;

(c) the number of sex establishments, or sex establishments of a particular kind, in the relevant locality at the time which the authority consider is appropriate for the locality;

(d) the grant or renewal of the licence would be inappropriate, having regard-

(i) to the character of the relevant locality; or

(ii) to the use to which any premises in the vicinity are put; or

(iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

(e) NIL may be an appropriate number for the purposes of (c) above

Any decision to refuse a licence MUST be relevant to one or more of the above grounds.

6. Relevant Location of Premises

In deciding the appropriate number of premises to be licensed, the Licensing Committee must consider the character of the relevant locality and what is the appropriate number of sex establishments for the relevant locality.

In considering if the grant, renewal or variation of the licence would be inappropriate, having regard to the character of the relevant locality or to the use of which any premises in the vicinity are put, the Licensing Committee shall consider, among other considerations, whether the grant of the application would be inappropriate, having regard to:

- (a) the fact that the premises are sited in a residential area;
- (b) the premises are sited near shops used by or directed to families or children, or on frontages frequently passed by the same;
- (c) the premises are sited near properties which are sensitive for religious purposes e.g. churches, mosques, temples;
- (d) the premises are sited near premises or areas which are sensitive because they are frequented by children, young persons or families, including but not limited to educational establishments, leisure facilities such as parks, libraries or swimming pools, markets and covered markets;

When hearing an application for the grant of a sex establishment licence, the Licensing Committee shall have regard to the Policy Statement provisions set out above but subject to the overriding principle that each application will be determined on its own merits.

Applications in respect of premises must state the full address of the premises. Applications in respect of a vehicle, vessel or stall must state where it is to be used as a Sex Establishment.

The Council would normally expect that applications for licenses for permanent commercial premises should be from businesses with planning consent for the property concerned.

7. Relevant Number

Whilst the Council recognises that different parts of the Borough have different characteristics, it also recognises that the Town Centre is the main locality where a business offering relevant entertainment may wish to operate.

For all other localities within the Borough, the Licensing Authority will treat each application on its own merits. However applicants should be aware that there will be a general presumption for refusal where the characteristics of the locality is made up of:

- (a) Residential accommodation,
- (b) Parks and children's play areas,
- (c) Other retail units (and their uses),
- (d) Schools,
- (e) Religious and communal buildings,
- (f) Alcohol and entertainment licensed premises.

8. Making an Application and Process

Applications must be submitted on the appropriate application form to the Licensing Authority together with the application fee, applications may be submitted on line.

The application form can be used for grant, variation, transfer and renewal applications. The application must be copied by the applicant to the Police within 7 days after the date the application was made.

Applicants must provide their name, address and where the applicant is an individual, their age, plus the premises address and the proposed licensed name of the premises.

Applicants must, at the time of submission of the new grant or variation application, provide a scheme showing the exterior design for consideration by the Licensing Authority, before the premises are opened for business, in order to ensure that exterior design of the premises shall be such that the interior of the premises is invisible to passers-by. Drawings showing the front elevation as existing and as proposed to a scale of 1:50.

In addition, applicants must, at the time of submission of a new grant or variation application, provide a plan to the scale of 1:1250 showing the interior layout of the premises for consideration by the Licensing Authority. The plan must outline where the relevant entertainment will take place.

Applicants for sexual entertainment venues must also submit a copy of their "House Rules". Such House Rules must contain the required conduct of performers which shall include, matters containing conditions of licence, i.e. no touching, no meeting customers, no sex acts, no giving or taking phone numbers (including exchange of business cards).

Such House Rules will form part of the licence (if granted) and may be subject to amendment by the Licensing Authority prior to approval.

Applicants must make provision for all performers to sign documentation to confirm their knowledge of and acceptance to adhere to the House Rules. Such documentation must be retained for the duration of the performer's employment and for a further 6 months from the date they last worked at the premises, whether they are employed directly or freelance.

The Licensing Team may as part of the application process visit the locality of the premises to establish whether there are any characteristics of the locality which may require consideration by the Licensing Committee.

9. Public Notice

Applicants (other than applicants for variation of licence), must also give public notice of the application by publishing an advertisement in a local newspaper. This must be published within 7 days of making the application.

If the application relates to premises then there is an additional requirement for notice of the application to be displayed for 21 days on or near the premises where it can be conveniently read by the public. The notice, the form of which is prescribed by the Licensing Authority, must contain certain information.

If an application is for the renewal of a sex establishment licence the premises can continue to operate past the licence expiry date; provided that the renewal application has been submitted to the Licensing Authority before the licence expires. The Licensing Authority will notify of the decision.

10. Granting a Licence

All applications for the grant of a new sex establishment licence will be referred to the Licensing Committee for determination having regard to the character, relevant locality and the appropriate number of sex establishments for the relevant locality.

In determining the application the Licensing Committee will have regard to this Policy Statement, the application itself and any objections that may have been made. In all cases, each application will be determined on its own merits.

11. Objections and Commenting on Licence Applications

A wide range of people may comment and object to sex establishment applications. The police are a statutory consultee for all applications.

Objections must be received from anyone one else within the statutory 28 day period from the date of the application being given to the Council.

Objectors should limit their objection to matters which are relevant to the statutory grounds for refusal as set out in the 1982 Act. The grounds relevant to majority of objectors are:

- That the grant or renewal of the licence would be inappropriate, having regard to the character of the relevant locality or to the use to which any premises in the vicinity of the premises, vehicle or vessel or stall in respect of which the application is made.

Any objections received by the Licensing Authority which do not relate to the grounds set out in the Act must be rejected by the Licensing Team. Where objections are rejected, the objector will be given written reasons.

Objector's can include residents/tenants associations, community associations and trade associations. Councilors' and Member of Parliament may also raise objection.

The Licensing Authority will not consider objections that are frivolous or vexatious, or which relate to morale grounds as these are outside the scope of the 1982 Act.

Decisions on whether objections are frivolous or vexatious will be made objectively by the Licensing Officers. Where objections are rejected, the objector will be given written reasons.

Valid objections will be considered by the Licensing Committee at the hearing to consider the application. Applicants and objectors will be given an equal opportunity to state their case in accordance with the Licensing Committee's code of conduct.

Objections should be made in writing (email is acceptable) and should contain the following:

- the name and address of the person or organisation making the objection;
- the premises to which the objection relates;
- the proximity of the premises to the person making the objection; a sketch or plan may be helpful to show this;
- the reasons for making the objections, which are clearly set out in relation to the grounds for refusal.

The Licensing Authority may refuse an application for the grant, variation or renewal of a licence on one or more of the following grounds:

- that the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
- that if the licence were to be granted, the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant of such a licence if he made the application himself;
- that the number of sex establishments in a relevant locality at the time the application is determined is equal to or exceeds the number which the authority consider is appropriate for that locality;

- that the grant or renewal of the licence would be inappropriate, having regard to the character of the relevant locality or to the use to which any premises in the vicinity are put, or to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.
- an application for the transfer of a licence can only be refused by virtue of the first two points above.

Each application will be decided on its own merits. The Licensing Authority can apply no rigid rule to its decision making.

The Licensing Authority will give clear reasons for its decisions.

When issuing a sex establishment licence the Licensing Authority is permitted to issue it on such terms and conditions and subject to restrictions as specified at the time the licence is issued.

In addition to this the Council has the power to make standard conditions applicable to all licenses for sex establishments.

It is an offence to breach the conditions and the penalty for this is a fine not exceeding £20,000.

12. Hearings

Applications referred to the Licensing Committee will take place within 21 days of the end of the period in which objections may be made.

The hearing provides all parties to the application including those making the objections, the opportunity to voice their objections and will be considered by the Committee.

13. Right to Appeal a Decision

If an application is refused following a hearing, then the applicant will be informed of the decision and whether there is any right of appeal.

Appeals must be made in writing to the local magistrate's court within 21 days, starting from the date the applicant is notified of the Licensing Authorities decision. The notice will advise the address of the appropriate magistrate's court to which such an appeal should be submitted. It should be noted that a fee may be payable to the magistrates to lodge such an appeal.

Applicants can appeal against the refusal of a grant, renewal, variation or transfer application or against the decision to revoke a licence. They can also appeal against condition or restrictions imposed.

Note: An appeal cannot be made against the Licensing Authorities decision if the application was refused on the grounds that:

- the number of sexual entertainment venues in the relevant locality at the time the application is determined is equal to or exceeds the number which the authority consider is appropriate for that locality; or
- the grant of the licence would be inappropriate considering the character of the area, the nature of the premises in the area, or the premises themselves.

The magistrate's court will determine the appeal application. If there is disagreement with this decision then an appeal can be made to the local crown court. The decision of the crown court will be final.

The Licensing Authority must comply with a decision made by the magistrates or crown court.

14. Fee

Information with regard to fees is available from the Licensing Team. The appropriate fee will be chargeable and is non refundable. Fees will be reviewed on an annual basis.

15. Waiver

Applications can be made to waive the requirement for a sexual entertainment venue.

The Licensing Authority does not consider that it would be appropriate to permit "Waivers" from the requirements to hold a sexual entertainment venue licence particularly as the legislation allows relevant entertainment on an infrequent basis of no more than eleven occasions within a 12 month period, providing there is at least one month between each period of entertainment which itself does not last for more than 24 hours.

16. Length of Licence

Unless there are exceptional circumstances a licence will be granted for a maximum of 12 months.

17. Offences

The offences under Schedule 3 are set out in paragraph 20 and 23 of that schedule and include:

- Knowingly causing or permitting the use of any premises as a Sex Establishment without a licence.

- Being the holder of a licence, knowingly employing persons in a Sex Establishment who are disqualified from holding a licence.
- Being the holder of a licence, knowingly contravenes, or without reasonable excuse knowingly permits the contravention of, a term, condition or restriction specified in a licence.
- Being the servant or agent of the holder of a licence, without reasonable excuse knowingly permits the contravention of a term, condition or restriction specified in the licence.
- Being the holder of a licence without reasonable excuse knowingly permits a person under the age of 18 years to enter the establishment.
- Being the holder of a licence employs a person known to them to be under 18 years of age in the business of the establishment.

A person guilty of any of the above offences is liable on summary conviction to a fine not exceeding £20,000.

It is also an offence for the holder of a licence, without reasonable excuse to fail to exhibit a copy of the licence and any standard conditions applicable to the licence in a suitable place as specified in the licence. A person guilty of this offence shall be liable on summary conviction to a fine not exceeding level 3 on the Standard Scale.

18. Interface with the Licensing Act 2003

Where sexual entertainment is provided in such a manner that a sexual entertainment licence is required, then the entertainment and any live or recorded music is deemed not to be regulated entertainment within the 2003 Act. However it is highly likely that the premises will be selling alcohol and therefore a premises licence under the Licensing Act 2003 will be needed.

Sex cinemas require regulation under the Licensing Act 2003. Sex shops do not fall to be licensed under the Licensing Act.

19. Enforcement

Once licensed, it is essential premises are maintained and operated so as to ensure the compliance with the specific terms of the licence and the requirements of the Local Government (Miscellaneous Provisions) Act 1982 and the Council will make arrangements to monitor premises.

The Council will work closely with all other statutory bodies to establish protocols to ensure efficient deployment of all personnel engaged in enforcing licensing law and inspecting licensed sex establishments, in order to ensure that resources are targeted at problem and high risk premises, whilst ensuring compliance will result in action being taken in accordance with Councils relevant Enforcement Policies.

20. Conditions of Licence

Section 13 of Schedule 3 allows the Council to make regulations prescribing Conditions applicable to sex establishments.

Under paragraph 8 of Schedule 3 the Council may grant to an applicant, and from time to time renew a licence for sex establishments on such terms and conditions and subject to any restrictions as may be specified. These specific terms and conditions may be tailored for each individual premises.

20.1 Sex Shops and Sex Cinemas Licence Conditions

Introduction

1. In these Conditions "The Council" shall mean the East Staffordshire Borough Council and all enquiries concerning this licence shall be directed to the Licensing Team, Town Hall, Burton upon Trent, Staffordshire, DE14 2EB
2. These conditions are imposed by the Council pursuant to its powers under paragraph 13 (1) of Schedule 3 to the above Act as terms, conditions and restrictions on a subject to which a licence is in general to be granted, renewed or transferred by the Council save and insofar as they do not conflict with the provisions of the Act itself.
3. These conditions are only applicable to "Sex Shop and Sex Cinema" premises.
4. "SEX CINEMA" means any premises, vehicle, vessel or stall used to a significant degree for the exhibition of moving pictures, by whatever means produced, which:
 - (a) are concerned primarily with the portrayal of, or primarily deal with or relate to, or are intended to stimulate or encourage -
 - (i) sexual activity; or
 - (ii) acts of force or restraint which are associated with sexual activity;
or
 - (b) are concerned primarily with the portrayal of, or primarily deal with or relate to, genital organs or urinary or excretory functions;

but does not include a dwelling-house to which the public is not admitted.

5. "SEX SHOP" means any premises, vehicle, vessel or stall used for business which consists to a significant degree of selling, hiring, exchanging, lending, displaying or demonstrating -
- (a) sex articles; or
 - (b) other things intended for use in connection with, or for the purpose of stimulating or encouraging -
 - (i) sexual activity; or
 - (ii) acts of force or restraint which are associated with sexual activity.

No premises shall be treated as a sex shop by reason only of their use for the exhibition of moving pictures by whatever means produced.

6. "SEX ARTICLE" means -
- (a) anything made for use in connection with, or for the purpose of stimulating or encouraging -
 - (i) sexual activity; or
 - (ii) acts of force or restraint which are associated with sexual activity; and
 - (b) any article containing or embodying matter to be read or looked at or anything intended to be used, either alone or as one of a set, for the reproduction or manufacture of any such article; and any recording of vision or sound, which -
 - (i) is concerned primarily with the portrayal of, or primarily deals with or relates to, or is intended to stimulate or encourage, sexual activity or acts of force or restraint which are associated with sexual activity; or
 - (ii) is concerned primarily with the portrayal of, or primarily deals with or relates to, genital organs, or urinary or excretory functions.

Management of the Premises

7. The Licensee or some responsible person, over the age of 18, nominated by him and approved in writing by the Council for the purpose of managing the sex establishment (“the manager”) shall have personal responsibility for and be present on the Premises at all times when the Premises are open to the public. A form will be provided for this purpose.
8. Where the Licensee is a body corporate or an incorporated body, any change of director, company secretary or other person responsible for the management of the body shall be notified in writing to the Council within 14 days of such change and such written details as the licensing authority may require in respect of the change of personnel shall be furnished within 14 days of a request in writing from the Council.
9. A copy of the licence and any special conditions attached shall at all times be displayed in a conspicuous position on the Premises, so as to be available for inspection by the police, the fire authority, and authorised officers of the Council.
10. The name of the person responsible for the management of the Premises, whether the Licensee or the manager, shall be displayed in a conspicuous position within the Premises throughout the period during which he is responsible for the conduct of the Premises.
11. The Licensee shall retain control over all parts of the Premises and shall not let, licence or part with possession of any part. The Council must be immediately notified in the event that any part of the Premises is affected by the termination of a lease or other event affecting the Licensee’s control of the Premises.
12. The Licensee shall ensure that the public is not admitted to any part of the Premises that has not been licensed, other than toilet facilities where provided for customers.
13. Neither the Licensee nor any employee or agent shall personally solicit custom for the sex establishment outside or in the locality (village, town or city) of the Premises.
14. The Licensee shall ensure that during the hours that the Premises are open for business every employee wears a badge of a type approved by the Council indicating his name and that he is an employee.
15. The Licensee shall maintain a daily register in which shall be recorded the name and address of any person who is to be responsible for managing the Sex Establishment in the Licensee’s absence and the names and addresses of those employed in the Sex Establishment. The Register is to be completed each day

within thirty minutes of the Sex Establishment being opened for business and is to be available for inspection by the police and by authorised officers of the Council.

16. The Licensee shall take all reasonable precautions for the safety of the public and employees.
17. No person under the age of 18 shall be admitted to the Premises.
18. The Licensee shall adopt a procedure to check the age of customers entering the shop who appear to be younger than 25 in order to ensure that they are not under the age of 18.
19. All persons working in the premises shall be aged not less than 18 years. The Licensee must maintain adequate records of the names, addresses and dates of birth of performers including adequate identity checks.
20. The Licensee shall ensure a closed-circuit television system is installed internally and externally to the satisfaction of the Council. Appropriate notices must be displayed in accordance with the Data Protection Act 1998, advising that CCTV is in operation. In addition the Licensee must ensure that the requirement under that Act regarding registration with the Data Protection Commissioner is complied with.
21. The Licensee shall provide upon request copies of any documents reasonably required by an authorised officer of the Council in relation to compliance with this Licence.
22. No part of the Premises shall be used by prostitutes (male or female) for the purpose of solicitation or of otherwise exercising their calling.
23. Neither the Licensee nor any employee or to the person shall seek to obtain custom for the Sex Establishment by means of personal solicitation outside or in the vicinity of the Premises.

Opening of the Premises

24. The Premises shall not, without the written consent of the Council, be opened and used for the purposes for which the licence is granted except during the following hours:

Monday – Saturday 9:00 am – 6:00 pm

25. The Premises shall not, without the written consent of the Council, be opened and used for the purposes for which the licence is granted on Sundays, Christmas Day or Good Friday.

Operation of the Premises

26. No change from a sex shop (including a mail-order shop) to either a sex cinema or sex entertainment venue, sex cinema to either a sex shop or sex entertainment venue, or from a sex entertainment venue to either a sex cinema or a sex shop shall be made without the approval of the Council. This will require consideration of an appropriate application.
27. No sex articles or other things intended for use in connection with, or for the purpose of stimulating or encouraging sexual activity or acts of force or restraint which are associated with sexual activity shall be displayed, sold, hired, exchanged, loaned or demonstrated in a sex cinema or a sexual entertainment venue.
28. The primary use of a sex shop must be for the purpose of the sale of goods by retail.

External Appearance

29. A notice stating that no person under the age of 18 shall be admitted to the premises must be displayed on the outside of the Premises. The notice must also include a statement that proof of age may be requested.
30. The exterior design of the premises shall be such that the interior of the premises is invisible to passers-by.
31. The windows and openings of the Premises shall be of a material or covered with a material, which will render the interior of the Premises invisible to passers-by.
32. No items should be stored on the premises so that they can be viewed from any external window or door.
33. The windows, doors, fascia board, walls and all external parts of the premises including the roof shall not contain any form of writing, sign or display save for:
 - (i) The licensed name of the premises (as explained in paragraph 40 hereof) may be displayed, unless the Council determines that the name is of a profane or sexual nature or gives other cause for concern.
 - (ii) The form of warning notice required to be displayed by virtue of the provisions of Section 1(6) of the Indecent Displays (Control) Act 1981.

- (iii) A notice stating the opening hours of the establishment.
- (iv) The wording “PRIVATE SHOP” or “ADULT SHOP” but no other indication as to the nature of the business carried on at the licensed premises.

34. The lettering used in respect of such permitted items:-

In the case of the permitted items at paragraph 24 ‘i’, ‘ii’ and ‘iv’ the lettering used shall not exceed 15 cm (approximately 6” inches) in height for each letter.

- 35. (a) No other words or signs, or any displays or advertisements, shall be displayed on the outside of the Premises or in the vicinity of the Premises, except those mentioned in conditions 22 and 25 or otherwise approved by the Council in writing;
- (b) No external loudspeakers may be installed.

Condition and Layout of the Premises

- 36. Notwithstanding the Licensee’s duties under the Health and Safety at Work etc Act 1974 and related legislation and his obligations under any lease or other agreement for the use of the Premises, he shall maintain the Premises in good repair and condition.
- 37. External doors shall be closed at all times other than when persons are entering or leaving the Premises. The external doors shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.
- 38. The Premises shall be fitted with an inner entrance door or screen so that no part of the interior of the Premises or any of the contents of the premises shall be visible when persons are entering or leaving the Premises. Such inner entrance door or screen shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.
- 39. No access shall be permitted through the Premises to any other Premises adjoining or adjacent except in the case of emergency.
- 40. Lighting shall be in operation continuously during the whole of the time that the Sex Establishment is open to the public.
- 41. Alterations or additions, either internal or external, shall not be made to the Premises without prior written consent from the Council. A variation application will be required in order for consent to be considered.

42. Any facilities for previewing films, video recordings or other similar material shall be physically separated from the display area of the shop in such a manner that no material being displayed by way of preview shall be visible or audible outside the preview area.
43. No fastenings of any description shall be fitted upon any booth or cubicle within the Sex Establishment nor shall more than one person (including any employee be present in any such booth or cubicle at any time). Appropriate fastenings are permitted on toilet doors.

Goods Available in Sex Establishments

44. All Sex Articles as defined in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 and other things displayed for sale, hire, exchange or loan within a the shop shall be clearly marked to show to persons who are inside the Sex Shop the respective prices being charged.
45. All printed matter, DVD, video and other formats capable of storing readable/viewable material offered for sale, hire, exchange or loan shall be openly displayed and available for inspection prior to purchase and a notice to this is effect is to be prominently displayed inside the Sex Establishment. (This regulation does not require that films or video films be exhibited (played) to customers).
46. No film, DVD, or video recording (or computer game, or other formats capable of storing readable/viewable material) shall be exhibited, sold or supplied unless it has been passed by the British Board of Film Classification and bears a certificate to the effect.

Information for Customers

47. The Licensee shall make available in the Sex Establishment free counselling and advice literature on matters related to sexual health and issues as may be published by the Family Planning Association, the NHS and or other similar organisations. Such literature should be displayed in a prominent position, preferably adjacent to all points of sale in the Sex Establishment.

Licensed Name

48. (a) The Council at the time of granting the licence in respect of the premises shall appoint a name referred to as "The Licensed Name" by which it is intended that the premises shall be known and the licence holder shall ensure that the premises are known solely by that name and by no other, save as provided for by paragraph (b) below. Such name shall have been provided on the application form.

- (b) An application in respect of a change of licence name shall be made to the Council in writing not less than 28 days prior to the proposed change and the Council shall have an absolute and unfettered discretion to allow or refuse such change.

20.2 Sexual Entertainment Venue Licence Conditions

Introduction

1. In these Conditions “The Council” shall mean East Staffordshire Borough Council and all enquiries concerning this licence shall be directed to the Licensing Team, Town Hall, Burton upon Trent, Staffordshire, DE14 2EB.
2. These conditions are imposed by the Council pursuant to its powers under paragraph 13 (1) of Schedule 3 to the above Act as terms, conditions and restrictions on a subject to which a licence is in general to be granted, renewed or transferred by the Council save and insofar as they do not conflict with the provisions of the Act itself.
3. These conditions are only applicable to a “Sexual Entertainment Venue” premises.

Management of the Premises

4. The Licensee or some responsible person, over the age of 18, nominated by him and approved in writing by the Council for the purpose of managing the sex establishment (“the manager”) with the authority to direct activities within the Premises, shall have personal responsibility for and be present on the Premises at all times when the Premises are open to the public. A form will be provided for this purpose.
5. Where the Licensee is a body corporate or an incorporated body, any change of director, company secretary or other person responsible for the management of the body shall be notified in writing to the Council within 14 days of such change and such written details as the licensing authority may require in respect of the change of personnel shall be furnished within 14 days of a request in writing from the Council.
6. A copy of the licence and any special conditions attached shall at all times be displayed in a conspicuous position on the Premises, so as to be available for inspection by the police, the fire authority, and authorised officers of the Council.

7. The name of the person responsible for the management of the Premises, whether the Licensee or the manager, shall be displayed in a conspicuous position within the Premises throughout the period during which he is responsible for the conduct of the Premises.
8. The Licensee shall retain control over all parts of the Premises and shall not let, licence or part with possession of any part. The Council must be immediately notified in the event that any part of the Premises is affected by the termination of a lease or other event affecting the Licensee's control of the Premises.
9. The Licensee shall ensure that the public is not admitted to any part of the Premises that has not been licensed, other than toilet facilities where provided for customers.
10. Neither the Licensee nor any employee or agent shall personally solicit custom for the sex establishment outside or in the locality (village, town or city) of the Premises.
11. The Licensee shall maintain a daily register in which shall be recorded the name and address of any person who is to be responsible for managing the Sex Establishment in the Licensee's absence and the names and addresses of those employed in the Sex Establishment. The Register is to be completed each day within thirty minutes of the Sex Establishment being opened for business and is to be available for inspection by the police and by authorised officers of the Council.
12. The Licensee shall take all reasonable precautions for the safety of the public and employees.
13. The Licensee must ensure that a suitable and sufficient number of trained staff are employed to supervise the interior of the Premises ("floor supervisors") to ensure that conditions of licence are complied with, in particular the no touching conditions, and to ensure the safety of performers.
14. No person under the age of 18 shall be admitted to the Premises.
15. The Licensee shall adopt a procedure to check the age of customers entering the premises who appear to be younger than 25 in order to ensure that they are not under the age of 18.
16. All persons working in the premises, including Performers, shall be aged not less than 18 years. The Licensee must maintain adequate records of the names, addresses and dates of birth of performers including adequate identity checks.

17. The Licensee must submit a set of "House Rules" to the Licensing Authority as part of the application process; these rules will form part of the licence, and must be complied with. Furthermore they must ensure that all performers are fully conversant with and sign an agreement to adhere to such House Rules.
18. In the event that an authorisation under the Licensing Act 2003 does not require the provision of a CCTV system, then the Licensee shall ensure a closed-circuit television system is installed internally and externally to the satisfaction of the Council. Appropriate notices must be displayed in accordance with the Data Protection Act 1998, advising that CCTV is in operation. In addition the Licensee must ensure that the requirement under that Act regarding registration with the Data Protection Commissioner is complied with.
19. CCTV recordings will be made available for viewing by authorised officers of the licensing authority or the police. Copies of such recordings must be provided upon request.
20. CCTV must be capable of monitoring the whole of the premises, in particular any private booths or rooms to ensure the safety and security of performers and other persons within the premises. The CCTV system must be monitored by a dedicated member of staff or security personnel at all times that the premises are in operation.
21. The Licensee shall ensure that neither they nor any person promoting or providing entertainment on the Premises (nor any person acting on behalf of any such person) shall display advertisements promoting the entertainment or the Premises in any unlawful manner.
22. Where the Council have given notice in writing to the Licensee objecting to an advertisement on the grounds that, if displayed, it would offend against good taste or decency or be likely to encourage or incite to crime or to lead to disorder or to be offensive to public feeling, that advertisement shall not be displayed.
23. The Licensee shall ensure that no more members of the public shall be present on the Premises at any time whilst relevant entertainment takes place to which this licence relates where the Council has specified a number in writing on the grounds of public safety, public nuisance or crime and disorder.
24. The Licensee shall provide upon request copies of any documents reasonably required by an authorised officer of the Council in relation to compliance with this Licence.

Opening of the Premises

25. Relevant entertainment may only be provided during the hours permitted by an authorisation under the Licensing Act 2003 unless a specific condition on the Sex Establishment Licence permits otherwise.

Operation of the Premises

26. No change from a sex entertainment venue to either a sex cinema or a sex shop (including a mail-order shop), or a sex shop to either a sex cinema or sex entertainment venue, or from a sex cinema to either a sex shop or sex entertainment venue, shall be made without the approval of the Council. This will require consideration of an appropriate application.
27. No sex articles or other things intended for use in connection with, or for the purpose of stimulating or encouraging sexual activity or acts of force or restraint which are associated with sexual activity shall be displayed, sold, hired, exchanged, loaned or demonstrated in a sexual entertainment venue or a sex cinema.
28. Only activities which have been previously been agreed in writing by the licensing authority shall take place.

External Appearance

29. A notice stating that no person under the age of 18 shall be admitted to the premises must be displayed on the outside of the Premises. The notice must also include a statement that proof of age may be requested.
30. The exterior design of the premises shall be such that the interior of the premises is invisible to passers-by.
31. The windows and openings of the Premises shall be of a material or covered with a material, which will render the interior of the Premises invisible to passers-by. At no time shall performers or persons working in the premises be visible from outside of the Premises, with the exclusion of Door Supervisors.
32. The Licensee shall not permit the display outside of the Premises of photographs or other images which indicate or suggest that relevant entertainment takes place on the Premises.
33. External advertising of relevant entertainment shall not include any of the following:
 - a) any depiction of full nudity

- b) any depiction of partial nudity (including the display of breasts, buttocks or genitalia)
 - c) any depiction of overtly sexual or violent images or any other images which may give rise to concerns in respect of public decency or protection of children or vulnerable persons from harm.
34. The windows, doors, fascia board, walls and all external parts of the premises including the roof shall not contain any form of writing, sign or display save for:
- (i) The licensed name of the premises (as explained in paragraph 40 hereof) may be displayed, unless the Council determines that the name is of a profane or sexual nature or gives other cause for concern.
 - (ii) The form of warning notice required to be displayed by virtue of the provisions of Section 1(6) of the Indecent Displays (Control) Act 1981.
 - (iii) A notice stating the opening hours of the establishment.
35. The lettering used in respect of such permitted items:-
- In the case of the permitted items at paragraph 24 'i', 'ii' and 'iv' the lettering used shall not exceed 15 cm (approximately 6" inches) in height for each letter.
36. (a) No other words or signs, or any displays or advertisements, shall be displayed on the outside of the Premises or in the vicinity of the Premises, except those mentioned in conditions 27 and 33 or otherwise approved by the Council in writing;
- (b) No external loudspeakers may be installed.

Condition and Layout of the Premises

37. Notwithstanding the Licensee's duties under the Health and Safety at Work etc Act 1974 and related legislation and his obligations under any lease or other agreement for the use of the Premises, he shall maintain the Premises in good repair and condition.
38. External doors shall be closed at all times other than when persons are entering or leaving the Premises. The external doors shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.
39. The Premises shall be fitted with an inner entrance door or screen so that no part of the interior of the Premises or any of the contents of the premises shall be

visible when persons are entering or leaving the Premises. Such inner entrance door or screen shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.

40. No access shall be permitted through the Premises to any other Premises adjoining or adjacent except in the case of emergency.
41. Lighting shall be in operation continuously during the whole of the time that the Sex Establishment is open to the public.
42. Alterations or additions, either internal or external, shall not be made to the Premises without prior written consent from the Council. A variation application will be required in order for consent to be considered.
43. No fastenings of any description shall be fitted upon any booth or cubicle within the Sex Establishment nor shall more than one person (including any employee be present in any such booth or cubicle at any time). Appropriate fastenings are permitted on toilet doors.

Provision of Relevant Entertainment

44. Performers shall only perform in specified designated areas, to seated customers or in such other areas of the licensed Premises as may be agreed in writing with the Council.
45. The Licensee is to implement a policy to ensure the safety of the Performers when they leave the Premises after a period of work.
46. Performers must remain clothed in public areas and all other areas except while performing in areas specified by the Council as where relevant entertainment may be provided.
47. At the conclusion of performances all articles of clothing removed during that performance must be put back on. This does not prevent performers going to their non-public changing area to change their attire.
48. Performers may not accept any telephone number, email address, address or contact information from any customer, except in the form of a business card which must be surrendered to the Licensee or their representative before leaving the Premises.
49. Performers may not give any telephone number, email address, address, contact information or business card to any customer or in any way solicit themselves.

50. Performers must not perform a nude table dance unless in a supervised area or within five metres of a floor supervisor.
51. Performers are never to be in the company of a customer except in an area open to the public within the Premises (excluding the toilets).
52. The Licensee must ensure that during the performance of a table or lap dance:
 - (1) customers must be seated in an upright position against the back of the booth or seat with their hands by their sides before a dancer can start a table dance;
 - (2) customers must remain seated during the entire performance of the dance;
 - (3) for the purpose of restraint only, Performers may only touch a customer above the customer's chest with their hands only;
 - (4) performers must not sit or straddle the customer;
 - (5) performers must not place their feet on the seats.
53. The Licensee must ensure that during performances of relevant entertainment:
 - (1) performers may not perform any act that clearly simulates any sexual act;
 - (2) performers must never intentionally touch the genitals, anus or breasts of another dancer or to knowingly permit another dancer to intentionally touch their genitals, anus or breasts;
 - (3) performers may not intentionally touch a customer any time during the performance unless absolutely accidentally or due to a third party;
 - (4) performers may not use inappropriate, suggestive or sexually graphic language at any time;
 - (5) Performers must not engage in communications that could be deemed as acts of prostitution or solicitation, even if the Performer has no intention of carrying out the act;
 - (6) Performers must only perform nude or semi-nude dancing (of any description) within areas specified by the Council.

54. The Licensee must ensure that during performances of relevant entertainment:
- (1) Customers may not dance at any time except in areas specifically designated by the Council as being separate from areas for sexual entertainment.
 - (2) Customers must remain appropriately clothed at all times.
55. At all times there must be no physical contact between customers and employees, or other persons working within the premises, in any part of the premises save for the following:-
- The payment of an entry fee by customers to authorised members of staff.
 - The payment of a fee for relevant entertainment.
 - The purchasing of drinks by customers from authorised members of staff.
 - The placing of bank notes by the customer in a garter worn by females or an armband worn by males.
 - SIA door staff in the execution of their duties.
56. At all other times during the performance the performer will keep a minimum distance of at least 3 feet away from the customer.
57. Relevant entertainment will only take place in specified designated areas within the premises, as identified on the plan attached to the licence.
58. Notices outlining condition 57 will be clearly displayed at each entrance to the premises and in the specified designated areas. Notices must state that no touching relates to customers touching performers and other persons working within the premises and vice versa.
59. Performers will stop immediately and move away from any customer who is offensive or attempts to touch them, and shall report such behaviour and any other inappropriate behaviour or breach of house rules to the management. If after receiving a warning a customer continues behave inappropriately, the customer must be requested to leave the premises and should be escorted from the premises by appropriately authorised staff only (i.e. SIA registered door supervisors).

Licensed Name

60. (a) The Council at the time of granting the licence in respect of the premises shall appoint a name referred to as “The Licensed Name” by which it is intended that the premises shall be known and the licence holder shall ensure that the premises are known solely by that name and by no other, save as provided for by paragraph (b) below. Such name shall have been provided on the application form.
- (b) An application in respect of a change of licence name shall be made to the Council in writing not less than 28 days prior to the proposed change and the Council shall have an absolute and unfettered discretion to allow or refuse such change.

20.3 Mail-Order Premises Licence Conditions

Introduction

1. In these Conditions “The Council” shall mean the East Staffordshire Borough Council and all enquiries concerning this licence shall be directed to the Licensing Team, East Staffordshire Borough Council, Town Hall, Burton upon Trent.
2. These conditions are imposed by the Council pursuant to its powers under paragraph 13 (1) of Schedule 3 to the above Act as terms, conditions and restrictions on a subject to which a licence is in general to be granted, renewed or transferred by the Council save and insofar as they do not conflict with the provisions of the Act itself.
3. These conditions are only applicable to a “Mail-Order Sex Shop” premises.

Management of the Premises

4. The Licensee or some responsible person, over the age of 18, nominated by him and approved in writing by the Council for the purpose of managing the sex establishment (“the manager”) shall have personal responsibility for and be present on the Premises at all times when the Premises are open to the public.
5. Where the Licensee is a body corporate or an incorporated body, any change of director, company secretary or other person responsible for the management of the body shall be notified in writing to the Council within 14 days of such change and such written details as the licensing authority may require in respect of the change of personnel shall be furnished within 14 days of a request in writing from the Council.

6. A copy of the licence and any special conditions attached shall at all times be displayed in a conspicuous position on the Premises, so as to be available for inspection by the police, the fire authority, and authorised officers of the Council.
7. The name of the person responsible for the management of the Premises, whether the Licensee or the manager, shall be displayed in a conspicuous position within the Premises throughout the period during which he is responsible for the conduct of the Premises.
8. The Licensee shall retain control over all parts of the Premises and shall not let, licence or part with possession of any part. The Council must be immediately notified in the event that any part of the Premises is affected by the termination of a lease or other event affecting the Licensee's control of the Premises.
9. The Licensee shall ensure that the public is not admitted to any part of the Premises. No person under the age of 18 years will be admitted to the Premises at any time, for whatever reason or purpose.
10. All persons working in the Premises shall be aged not less than 18 years.
11. Neither the Licensee nor any employee or agent shall personally solicit custom for the sex establishment outside or in the locality (village, town or city) of the Premises.
12. The Licensee shall maintain a daily register in which shall be recorded the name and address of any person who is to be responsible for managing the Sex Establishment in the Licensee's absence and the names and addresses of those employed in the Sex Establishment. The Register is to be completed each day within thirty minutes of the Sex Establishment being opened for business and is to be available for inspection by the police and by authorised officers of the Council.
13. The Licensee shall take all reasonable precautions for the safety of employees.
14. The Licensee shall provide upon request copies of any documents reasonably required by an authorised officer of the Council in relation to compliance with this Licence.

Operation of the Premises

15. No change from a sex shop (including a mail-order shop) to either a sex cinema or sex entertainment venue, sex cinema to either a sex shop or sex entertainment venue, or from a sex entertainment venue to either a sex cinema or a sex shop

shall be made without the approval of the Council. This will require consideration of an appropriate application.

16. No sex articles or other things intended for use in connection with, or for the purpose of stimulating or encouraging sexual activity or acts of force or restraint which are associated with sexual activity shall be displayed, sold, hired, exchanged, loaned or demonstrated in a sex cinema or a sexual entertainment venue.
17. The sex establishment shall be used exclusively for 'mail-order' purposes only, selling sex articles and other articles that do not fall within the definition of sex articles in Schedule 3, paragraph 4(3) of the Local Government (Miscellaneous Provisions) Act 1982.
18. All advertisements, catalogues, sales documents used in connection with the business intended or likely to be seen by customers will clearly and prominently state "MAIL ORDER ONLY". All deliveries/dispatches of parcels shall be in plain wrapping not identifying what is inside.

External Appearance

19. No external nameplate, advertisement board or any other written or pictorial or graphic display connected with the business shall be observable from outside the building, or from other units within the building or from the common parts of the building.
20. The exterior design of the premises shall be such that the interior of the premises is invisible to passers-by.
21. The windows and openings of the Premises shall be of a material or covered with a material, which will render the interior of the Premises invisible to passers-by.
22. No items should be stored on the premises so that they can be viewed from any external window or door.

Condition and Layout of the Premises

23. Notwithstanding the Licensee's duties under the Health and Safety at Work etc Act 1974 and related legislation and his obligations under any lease or other agreement for the use of the Premises, he shall maintain the Premises in good repair and condition.

24. External doors shall be closed at all times other than when persons are entering or leaving the Premises. The external doors shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.
25. No access shall be permitted through the Premises to any other Premises adjoining or adjacent except in the case of emergency.
26. Alterations or additions, either internal or external, shall not be made to the Premises without prior written consent from the Council. A variation application will be required in order for consent to be considered.

Goods Available in Sex Establishments

27. No film, DVD, or video recording (or computer game, or other formats capable of storing readable/viewable material) shall be sold or supplied unless it has been passed by the British Board of Film Classification and bears a certificate to the effect.

Licensed Name

28. (a) The Council at the time of granting the licence in respect of the premises shall appoint a name referred to as "The Licensed Name" by which it is intended that the premises shall be known and the licence holder shall ensure that the premises are known solely by that name and by no other, save as provided for by paragraph (b) below. Such name shall have been provided on the application form. Paragraph 16 of these conditions applies.
- (b) An application in respect of a change of licence name shall be made to the Council in writing not less than 28 days prior to the proposed change and the Council shall have an absolute and unfettered discretion to allow or refuse such change.

21.Contacts

If you have any queries relating to the licensing of Sex Establishments please use the following contact information.

By Email:

licensing@eaststaffbc.gov.uk

Website:

www.eaststaffsbc.gov.uk

By Telephone:

Any queries may be directed to Officers on the following number

Tel: 01283 508505

Fax: 01283 508733

By Post:

**The Licensing Team
The Town Hall
Burton upon Trent
Staffordshire
DE14 2EB**