

# Licensing of Sex Establishments

## Statement of Licensing Policy

Local Government (Miscellaneous Provisions) Act 1982  
as amended by the Policing and Crime Act 2009

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**Version History**

First Draft	SH	11/11/2011
Public consultation draft	LC	15/03/2011
Final draft	LC	26/07/2011

**Please note:**

The information contained within this document can be made available in different languages and formats including Braille, large print and audio cassette.

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## Executive Summary

The Policing and Crime Act 2009 amends the Local Government (Miscellaneous Provisions) Act 1982 s2 and Sch 3 to introduce a new classification of sex establishment, namely sexual entertainment venues. This brings to lap dancing, pole dancing and other "relevant entertainment" a new licensing regime.

The legislation provides for local authorities to adopt a policy and standard conditions relating to sexual entertainment venues, sex shops and sex cinemas.

Leeds City Council adopted the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009 on 19<sup>th</sup> January 2011 with effect from 1st October 2011.

Leeds City Council has adopted this document as the policy and standard conditions to be applied when determining sex establishment licences in the Leeds district.

This policy will:

- Set out the council's approach for the benefit of operators
- Guide and reassure the public and other public authorities
- Ensure transparency
- Ensure consistency
- Guide and focus the Licensing Committee when making determinations under this legislation.

The policy will deal with:

- The mandatory and discretionary grounds for refusal
- Standard conditions
- The application process
- Waiver

## Section 1 Interpretation

**Advertisement** means any word, letter, image, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of and employed wholly or partly for the purposes of, advertisement or announcement.

**Authorised officer** means an officer employed by Leeds City Council and authorised by the council to act in accordance with provisions of the Local Government (Miscellaneous Provisions) Act 1982.

**The council** will mean Leeds City Council.

**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.

**Entertainer** means dancer, performer or other such person employed, or otherwise, to provide relevant entertainment.

**Licence** means any sex establishment licence that the council can grant under this Act. This includes any associated consent of permission.

**Licensee** means the holder of a sex establishment licence.

**Licensed area** means the part of the premises marked on the plan where licensable activities are to take place.

**Premises** includes any vehicle, vessel or stall but does not include any private dwelling to which the public is not admitted.

**Relevant entertainment** means any live performance or 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 by verbal or other means).

**Responsible person** means the person nominated by the licensee who has personal responsibility for and be present on the premises whilst the premises is open to the public. This may be the manager or the relief manager.

**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 sex articles or other things intended for use in connection with, or for the purpose of stimulating or encouraging sexual activity.

**Sexual entertainment venue** means any premises at which relevant entertainment is provided before a live audience, directly or indirectly for the financial gain of the organiser (i.e. a person who is responsible for organisation of management of the entertainment or the premises).

**Standard conditions** will mean any terms, conditions or restrictions contained or referred to in the schedule to a licence granted under Schedule 3, but does not include any private dwelling to which the public is not admitted.

**Vehicle** will mean a vehicle intended or adapted for use on roads.

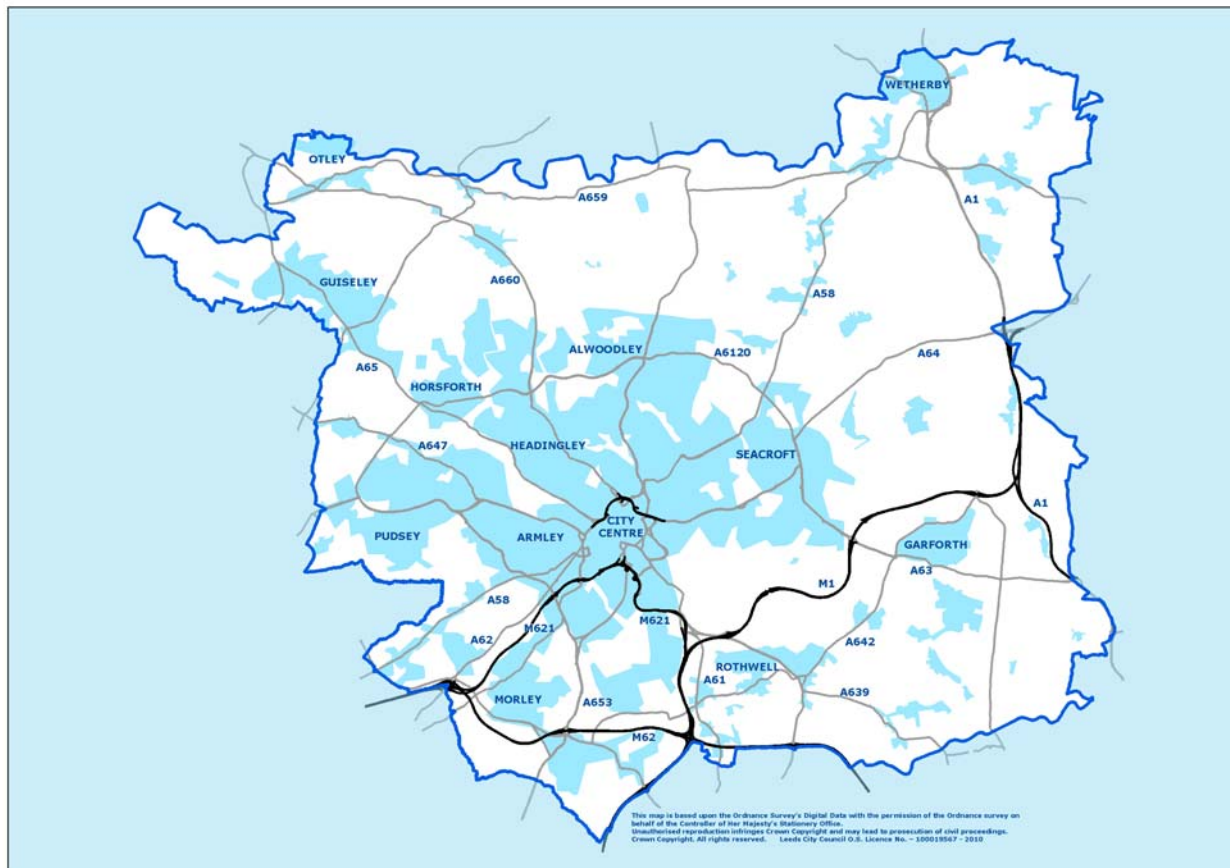
## Section 2 The purpose of the licensing policy

- 2.1 This policy is prepared under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009. It was approved by Leeds City Council as the licensing authority for the Leeds metropolitan district in xxx. It will be reviewed regularly.
- 2.2 This policy is concerned with the regulation of sex establishments, namely sexual entertainment venues, sex shop and sex cinemas.
- 2.3 The council's licensing regime aims to ensure that sex establishments in the Leeds district operate in a safe, fair and discreet manner and are sensitive to the local area in which they are situated. Specific attention has been taken to advertising, staff welfare, external appearance, locality and the number of licensed premises.
- 2.4 In preparing this policy the council has consulted with and considered the views of a wide range of people and organisations including:
- Representatives of local business
  - Local residents and their representatives
  - Parish and town councils
  - Local members of parliament
  - Representatives of existing licence holders
  - West Yorkshire Police
  - British Transport Police
  - Leeds City Council - Domestic Violence Unit
  - Leeds City Council - Children and Young People Social Care
  - Leeds City Council - City Development
  - Leeds Primary Care Trust
  - Charitable organisations that have interest in sex establishments
- 2.5 This Policy also has regard to the guidance issued by the Home Office.
- 2.6 The council adopts the overall approach of encouraging the responsible promotion of licensed activities. However, in the interests of all its residents, it will not tolerate irresponsible licensed activity. The council will impose conditions where necessary to promote responsibility and will use effective enforcement to address premises where there are problems, in partnership with key agencies such as:
- West Yorkshire Police,
  - West Yorkshire Fire and Rescue Service,
  - Health and Safety Executive,
  - Crime and Disorder Reduction Partnerships,
  - Primary Care Trusts in the district
  - West Yorkshire Trading Standards
- 2.7 The council will monitor the effectiveness of this policy by way of regular meetings with key agencies and by regular open dialogue with the trade.

## Section 3 The scope of the licensing policy

- 3.1 This policy covers licensable premises and activities as defined by the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009 (the Act) within the Leeds metropolitan district. Schedule 3 of the Act is concerned with the control of sex establishments. A sex establishment means a sexual entertainment venue, sex cinema or sex shop.
- 3.2 A sexual entertainment venue is a premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer. Relevant entertainment means any live performance or any live display of nudity which is provided solely or principally for the purpose of sexually stimulating any member of the audience. The full legal definition of a sexual entertainment venue can be found at section 2 and 2A of the Act.
- 3.3 A sex cinema means a premises used to a significant degree for the exhibition of moving pictures which primarily portray sexual activity or act of force of restraint which are associated with sexual activity. A full legal definition of a sex cinema can be found in section 3 of the Act.
- 3.4 A sex shop relates to a premises used to a significant degree for the selling, etc. of sex articles or other items intended for the use of stimulating sexual activity or acts of force or restraint. A full legal definition of a sex shop can be found at section 4 of the Act.
- 3.5 Advice on whether a licence is required can be obtained from Entertainment Licensing, Leeds City Council. Contact details are set out in Appendix 3.
- 3.6 Throughout this policy the wording will refer to 'applicants' for licences. However it should be noted that the principles set out within this policy apply equally to new applications, renewals and transfers.
- 3.7 This policy seeks to provide advice to applicants about the approach they should take to making applications and the view the council is likely to take on certain key issues.

## Section 4 The Leeds district



- 4.1 Leeds City Council has sought to establish Leeds as a major European city and cultural and social centre. It is the second largest metropolitan district in England and has a population of 2.2 million people living within 30 minutes drive of the City Centre.
- 4.2 The Leeds metropolitan district extends over 562 square kilometres (217 square miles) and has a population of 715,000 (taken from the 2001 census). It includes the city centre and the urban areas that surround it, the more rural outer suburbs and several towns, all with very different identities. Two-thirds of the district is greenbelt (open land with restrictive building), and there is beautiful countryside within easy reach of the city.
- 4.3 Over recent years Leeds has experienced significant levels of growth in entertainment use within the city coupled with a significant increase in residential development. The close proximity of a range of land uses and the creation of mixed-use schemes have many benefits including the creation of a vibrant 24-hour city.
- 4.4 Leeds has strong artistic traditions and has the best attended outdoor events in the country. The success of arts and heritage organisations including the Grand Theatre, City Varieties, West Yorkshire Playhouse, Opera North, Northern Ballet Theatre, Phoenix Dance Theatre, Harewood House and the Henry Moore Institute, has helped to attract other major arts and heritage investments such as the award winning Royal Armouries and the Thackeray Medical Museum. The city also boasts a wealth of community based sports heritage and recreational facilities. There is a vibrant voluntary sector including thousands of groups and societies.



- 4.5 Sport is a passion for people in Leeds and Yorkshire. Leeds United Football Club has a loyal and passionate following and Elland Road is one of England's great traditional grounds. Cricket is followed with enthusiasm with Yorkshire County Cricket Club home in Headingley. Leeds has the world's first dual-code rugby partnership - Leeds Rhinos Rugby League and Leeds Carnegie Rugby Union. The Leeds Rhinos in particular have enjoyed great success in recent years. Wetherby racecourse was established in 1891 and is considered one of best jump courses in the country.
- 4.6 Leeds is a city with many cultures, languages, races and faiths. A wide range of minority groups including Black Caribbean, Indian, Pakistani, Irish and Chinese as well as many other smaller communities make up almost 11% of the city population.
- 4.7 The Vision for Leeds 2011-2030 published by the Leeds Initiative as the city's strategic partnership group, indicates that Leeds is now one of Britain's most successful cities. It aims that "by 2030, Leeds will be locally and internationally recognised as the best city in the UK". By 2030:
- Leeds will be fair, open and welcoming.
  - Leeds' economy will be prosperous and sustainable.
  - All Leeds' communities will be successful.
- 4.8 This licensing policy seeks to promote licensing within the overall context of the three aims set out in Vision for Leeds 2011-2030.

## Section 5 Integrating other guidance, policies, objectives and strategies

- 5.1 In preparing this licensing policy the council has had regard to, and sought to integrate the licensing policy with, the following strategies:
- Vision for Leeds 2011 to 2030
  - Leeds Unitary Development Plan
  - The Local Development Framework including the Leeds City Centre Area Action Plan
  - The Home Office Tackling Violent Crime Programme
  - Leeds City Council – Anti-Social Behaviour Statement
  - Leeds City Council – Environmental enforcement policies
  - Leeds City Council - Violence Against Women Strategy
- 5.2 The council (through its Licensing Committee) may, from time to time receive reports on other policies, strategies and initiatives that may impact on licensing activity within the remit of the committee. Subject to the general principles set out in Section 7 it may have regard to them when making licensing decisions.
- 5.3 The Committee may, after receiving such reports, make recommendations to the council or other bodies about the impact of the licensing policy on such policies, strategies and initiatives. Equally the Committee may make recommendations relating to the impact of such policies, strategies and initiatives on the licensing policy. This may include recommendations to amend the licensing policy itself.

## Section 6 Cultural activities in Leeds

- 6.1 Leeds City Council (in common with other local authorities) is a major provider of facilities for public recreation. The Council has a tradition of promoting a wide range of cultural activity for the benefit of the city and district.
- 6.2 Leeds has a long established reputation for the encouragement of community and diverse cultural events and public entertainment as an essential aid to community involvement and an increasing sense of common identity.
- 6.3 Leeds Town Hall is the dedicated public concert hall/performance area in Leeds and the Carriageworks Theatre is dedicated to amateur performance and public use for Leeds.
- 6.4 Millennium Square in the city centre is used for public events and entertainment such as the Christmas market and 'Icecube' (a temporary ice rink).
- 6.5 Leeds Art Gallery has been described as 'probably the best collection of twentieth century British art outside London' (John Russell Taylor, *The Times*). Leeds Art Gallery is a newly re-furbished creative and lively gallery in the heart of Leeds on The Headrow in Leeds' Cultural Quarter. Offering displays of Leeds' stunning collections as well as a dynamic programme of changing exhibition, Leeds Art Gallery is an innovative and exciting place to visit for people of all ages and tastes.
- 6.6 Leeds City Museum is located in one of Leeds' much loved civic buildings - the Leeds Institute building on Millennium Square. The Leeds Institute is one of the City's most important historic buildings and was completed in 1862 by Cuthbert Brodrick, who also built Leeds Town Hall and the Corn Exchange. The Institute was built to provide education for the City's industrial workers and as a venue for lectures and large scale events. Work began in autumn 2005 on an ambitious project to turn it into an exciting new museum in the heart of Leeds. The project was funded by the Heritage Lottery Fund, Leeds City Council and Yorkshire Forward and has transformed the Grade II-listed Civic Institute building into a state-of-the-art museum.
- 6.7 The Carriageworks theatre is a thriving theatre at the heart of Leeds' Millennium Square. It showcases the best national and regional performance with a dynamic programme of theatre, dance, comedy and film. At the same time it provides support to young and emerging theatre makers, offering them a key platform to develop work. The venue gives opportunities for members of the local community to take part in a variety of high quality arts activities, and is home to the Leeds Civic Arts Guild. This is an umbrella group of performing societies enabling local people to experience making theatre in a fully functioning professional venue.
- 6.8 Abbey House is located just three miles out of the city centre on the main A65 road to Kirkstall. Located in accessible yet tranquil surroundings, Abbey House Museum is just a short distance from Kirkstall Abbey and its surrounding park. Abbey House opened to the public as a museum in 1927. During the 1950s Victorian street scenes were added. In 1995, the centenary of the reopening of Kirkstall Abbey by the city, it was decided to raise the money needed to redisplay and improve facilities for visitors. The Heritage Lottery Fund, Leeds City Council and the Friends of Leeds Museums made this work possible and work was completed in 2001.
- 6.9 The parks at Roundhay, Woodhouse Moor, Potternewton and Middleton are in use for community organised gatherings fairs and carnivals and Temple Newsam Park is the venue for council promoted public events attracting upwards of fifty thousand people.
- 6.10 Commercially promoted events take place in a variety of locations throughout the district.

## Section 7 General principles

- 7.1 In determining a licensing application the overriding principle will be that each application will be determined on its own merit, taking into account local knowledge, this licensing policy and the guidance issued by the Home Office. Where it is necessary to depart from the guidance or this Policy the council will give clear and cogent reasons for doing so.

### Human Rights

- 7.2 The European Convention on Human Rights makes it unlawful for a public authority to act in a way that is incompatible with a Convention right. The council will have particular regard to the following relevant provisions of the European Convention on Human Rights:
- **Article 6** that in determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
  - **Article 8** that everyone has the right to respect for his home and private life.
  - **Article 10** that everyone has the right to freedom of expression.
  - **Article 1 of the first protocol** that every person is entitled to the peaceful enjoyment of his or her possessions, including for example a licence.

### The Provision of Services Regulations

- 7.3 The Provision of Services Regulations 2009 implements the European Services Directive. These regulations ensure that any refusal of a licence is:
- **non-discriminatory** in regard to nationality,
  - **necessary** for reasons of public policy, public security, public health or the protection of the environment and
  - **proportionate** with regard to the objective pursued by the legislation.
- 7.4 The council will consider these three issues in relation to the refusal of licence applications.

### Crime and Disorder Act 1998

- 7.5 The Crime and Disorder Act 1998 places a duty on the council to exercise its functions with due regard to:
- Crime and disorder in its area (including ant-social and other behaviour adversely affecting the local environment;
  - The misuse of drugs, alcohol and other substances.
  - Re-offending in its area.
- 7.6 The council will have particular regard to the likely effect of the determination of licence applications on these issues and the need to do all that is reasonable can to prevent them.

## **Equality Act 2010**

7.7 The Equality Act 2010 places a duty on the council to exercise its functions with due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Equality Act 2010;
- Advance equality or opportunity between persons who share relevant protected characteristic and person who do not share it;
- Foster good relation between persons who share a relevant protected characteristic and persons who do not share it.

7.8 The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.9 The council is aware that sex establishments tend to be predominantly marketed to men and that the licensing of these establishments must not encourage discrimination against women especially in regard to women who work at the premises, women who may wish to visit the premises or women who are using the area for other purposes but who may feel intimidated by the presence of such premises.

7.10 Therefore the council will have particular regard to these duties, especially in regard to the determination of licences and the attaching of conditions.

## **Planning**

7.11 The use of premises is subject to planning control. Such use will require planning permission or must otherwise be lawful under planning legislation. Planning permission is generally required for the establishment of new premises or the change of use of premises.

7.12 In general, all premises which are the subject of an application, should have the benefit of planning permission, or be deemed permitted development. The onus will be on the applicant to demonstrate that planning permission has been granted or that the premises have the benefit of permitted development rights. Failure to do so may result in objections and the licence being refused or granted subject to conditions which take account of the planning permissions in existence.

7.13 In addition, all new developments and premises which have been subject to structural alterations since 1994 will have building control approval in the form of a Building Regulations Completion Certificate. The onus will be on the applicant to demonstrate that any structural alterations have been approved by building control. Failure to do so may result in objections and the licence being refused or granted subject to conditions.

7.14 Any decision on a licence application will not consider whether any decision to grant or refuse planning permission or building consent was lawful and correct.

## **Staff Training**

7.15 The council recommends that all persons employed on licensed premises be encouraged to attend training programmes to raise awareness of their responsibilities and particularly of the offences contained within the Act. Where recognised training programmes are not available employers should ensure that their employees are advised of their responsibilities and the offences under the Act.

7.16 All persons employed on licensed premises should be provided with in-house training on basic public safety and the housekeeping arrangements relative to those premises. Depending on their job role, this may include training in first aid, age verification policies, basic health and safety, and so on.

7.17 Licensed premises will be required to record training undertaken by staff in their staff records. These records will be made available for inspection on request by an authorised officer or the police.

### **Advertising**

7.18 As part of the standard conditions attached to licences there is a requirement that all advertising and the external appearance of the premises must be approved by council. This approval will be sought at the next available sub-committee hearing. Applicants will be entitled to attend the hearing

### **Exemptions**

7.19 Under the Act there is an exemption for sexual entertainment venues for premises which provide relevant entertainment on an infrequent basis. These are defined as premises where –

- no relevant entertainment has been provided on no more than 11 occasions within a 12 month period;
- no such occasion has begun within a period of one month beginning with the end of the previous occasions; and
- no such occasion has lasted longer than 24 hours
- other premises or types of performances or displays exempted by an order of the Secretary of State.

7.20 This exemption does not apply to sex shops or sex cinemas.

## Section 8 Application Procedure

### The application process

- 8.1 Applications must be made to the council in the form prescribed in Annex 2. Guidance is available to applicants setting out the detail of the process.
- 8.2 An operator's suitability will be checked before a licence for a sex establishment is granted. Depending on the individual circumstances this may be achieved by the following means:
- Application form
  - CRB check
  - Personal interview either in person, at hearing, by phone or in writing
  - Accreditation
- 8.3 In the first instance, the application will be sent to West Yorkshire Police who may conduct a check. The operator's suitability will be checked using the application form and the personal information forms. Applicants may be asked to provide basic CRB checks, or attend an interview, to support their application.
- 8.4 The suitability of the applicant is important to ensure that the interests of the public are protected. The council will use the methods described above to ensure that the proposed operator:
- is honest
  - has a clear understanding of the conditions that may be attached to the licence
  - has a suitable business plan which will deliver compliance of the standard conditions.
  - Has no unspent conviction of a nature that deem him/her unsuitable.
- 8.5 Applications for sexual entertainment venue sex establishment licence will also show they have:
- a clear employees welfare policy
  - a clear code of practice for employees
  - a clear code of conduct for customers
  - a clear policy on pricing, and
  - protects the interests of his customers
- 8.6 The council will take all of these criteria into account when determining the licence. Non-compliance of one or more of the criteria will not necessarily exclude the operator from holding a sex establishment licence providing the applicant is able to prove to the council that the interest of the public is protected.

### Third Party Beneficiaries

- 8.7 In order to protect the public interest it is important to establish the hierarchy of the operator's business. Information will be sought and enquiries made into the operator's company structure to ensure that the operator is not working on behalf of an individual or company that would not be granted a licence in their own right.
- 8.8 Enquiries may be made via the application form, checks with Companies House, West Yorkshire Police, personal interview or applicants may be asked to provide business records.

## **Fees**

- 8.9 The council has set a reasonable fee. The fee is based on the recovery of costs incurred by the council in determining the application.

## **Notices**

- 8.10 The applicant must advertise the application in three ways:
- Advertisement in a local newspaper within 7 days of the application
  - Advertisement at the premises by way of a site notice for 21 consecutive days
  - Notice of the application to be sent to the Chief Officer of Police for West Yorkshire within 7 days of the application.
- 8.11 Proof that the applicant has advertised the application will be required.

## **Objections**

- 8.12 Anyone can object to an application for a sex establishment. Objection should be received by the council no later than 28 days after the date of the application. These objections can be received from individuals or businesses and can be on any matter. However the appropriate weight will be given to objections which relate to the purpose of the legislation which is the control of sex establishments.
- 8.13 Guidance on making an objection can be found on the council's website.
- 8.14 The council will notify the applicant in writing of the general terms of any objection it receives within 28 days of the application. However objectors will remain anonymous and efforts will be made to sanitise the contents of the objections so the objector's identity remains anonymous.
- 8.15 If objectors wish for their details to be released to the applicant they should make this clear in their objection.

## **Hearings**

- 8.16 All new applications and any contested renewals or transfers will be determined by a sub-committee of three members of the Licensing Committee.
- 8.17 It is the council's practice to provide notice of the hearing to all interested parties (applicants and objectors) five days before the hearing as laid down in Local Government Act 1972.
- 8.18 This notice will provide the date of the hearing, the procedure for the hearing, state any points on which the council requires clarification at the hearing, and will require the addressee to confirm their attendance and the attendance of any witnesses they may wish to call.
- 8.19 The hearing will take place in public except where the public interest requires otherwise.
- 8.20 All parties will be given an equal amount of time to present their case.

## The Licensing Committee

- 8.21 The council has appointed a licensing committee of 15 Councillors. Licensing functions will often be delegated to a licensing sub committee of 3 councillors or, in appropriate cases to officers of the council.



- 8.22 Councillors will have regard to the Leeds City Council Code of Conduct for Members and guidance issued by the Standards Board for England. Where a Councillor who is a member of the Licensing Committee or sub-committee has a prejudicial interest in the application before them, in the interests of good governance they will disqualify themselves from any involvement in the decision making process in respect of that application. Where ever possible, members will not hear applications from within their own ward to avoid any appearance of bias.
- 8.23 A licensing sub committee may refer an application to another sub committee or to the Licensing Committee where it is unable to deal with the application because of the number of members unable to vote on the matter in question.
- 8.24 The Licensing Committee will refer an application to the council where it is unable to deal with the application because of the number of members unable to vote on the matter in question.

### **Reasons for decisions**

- 8.25 In determining licence applications under the Local Government (Miscellaneous Provisions) Act 1982 the council will take into consideration the application before it, any objections received as well as local knowledge including local issues and cultural sensitivities.
- 8.26 Every decision to refuse a licence made by the Licensing Committee, sub committee or officers will be accompanied by clear reasons for the decision.
- 8.27 Every effort will be made to provide a decision verbally at the sub-committee hearing, with the written reasons to follow in due course. However in exceptional circumstances the sub-committee may defer the decision in order to allow mature consideration of the respective case and a time for the reasoned condition will be drawn up and all parties notified.

### **Conditions**

- 8.28 The council will impose standard conditions on all licences. However if deemed necessary, the council may change, alter or replace the standard conditions with conditions that are relevant to the application. Please see appendix 1 for the standard conditions.
- 8.29 Any change to the standard conditions will be applied to licences at the time of renewal when all conditions are reviewed.

### **Refusal of applications**

- 8.30 Applications for sex establishments can be refused on the following mandatory grounds:
- if the applicant is under 18,
  - if the applicant has a disqualification following the revocation of their licence,
  - if the applicant is non-resident in the UK,
  - company not incorporated in the UK,
  - or a previous refusal of the applicant at the same premises in the previous 12 months.

- 8.31 There are also a number of discretionary grounds. These are:
- if the applicant is unsuitable,
  - if the business would be managed by or for the benefit of a third party who would be refused licence in their own right,
  - that the number of sex establishments in the locality or of sex establishments of a particular kind in the locality equals or exceeds the number considered appropriate,
  - is inappropriate having regard to:
    - Character of relevant locality
    - Use of premises in vicinity
    - Layout, character, condition or location of the premises.
- 8.32 As stated at 7.1, the council will consider each application on its own merits, taking into account local knowledge, this policy and the guidance provided by the Home Office.

### **Right of Appeal**

- 8.33 Only the applicant has the right to appeal the council's decision to the Magistrate's Court and only on limited grounds. There is no right of appeal for objectors or statutory authorities. Applicants and interested parties are referred to the Local Government (Miscellaneous Provisions) Act 1982, para 27 for further details.

### **Period of licence**

- 8.34 A sex establishment licence will remain in force for up to one year, or for a shorter period should the council think fit.

### **Grant, Renewals, Transfer**

- 8.35 The process for applying for a renewal, transfer or variation of the licence is the same as when applying for a new licence. Guidance for applicants is available on the council's website.

### **Variation**

- 8.36 There are some matters required under the standard conditions for which the premises licence holder is required to notify the council. These matters include:
- Variation of standard conditions
  - Variation of any of the terms of the licence
  - Change in the external appearance of the premises
  - Structural changes
  - Change in personnel
  - Use of a vehicle for advertising purposes
  - Change of name of premises
- 8.37 Application to vary conditions of the licence must be advertised by the licensee in the same way as for the application for grant, renewal or transfer.
- 8.38 Other matters must be notified to the council in writing, enclosing the appropriate plans, or illustrations as may be required to evidence the application. Some matters may attract a fee. Further guidance is available on the council's website.

### **Revocation**

- 8.39 Should information be received by the council that circumstances have changed in such a way that the applicant would be deemed unsuitable or that the manager or beneficiary would be unsuitable should they be applying for a new licence, the council may revoke the sex establishment licence.

- 8.40 Should the council consider revocation of the licence to be appropriate the licensee will be provided an opportunity to appear before the Licensing Committee and be heard by them.
- 8.41 The licensee will be given a statement in writing of the reasons for revocation within seven days of the requirement being made.
- 8.42 The revocation will take effect once the appeal period has expired, or if an appeal is lodged after the determination or abandonment of the appeal.

### **Waiver**

- 8.43 Should the council decide that a licence would be unreasonable or inappropriate, it may waive the need for a licence, for example in the case of a medical book shop, sex clinic, in borderline cases, to correct errors or for minor or temporary events.
- 8.44 The council would only waive the need for a licence where the activity is low risk and/or temporary. However a waiver will not be considered in cases where a licence is reasonable and appropriate or where there is public interest.
- 8.45 The application for a waiver uses the same form as an application for a new licence; however it should be accompanied by a letter which describes the circumstances under which the need for a licence should be waived. There will be no requirement to advertise the application. There is a fee. Further information can be found on the council's website, or by contacting Entertainment Licensing.
- 8.46 The decision to waive the need for a licence will be taken at the next available licensing sub-committee hearing and a Notice of Waiver will be issued in due course.
- 8.47 Unsuccessful applications for waivers will be notified accordingly and provision will be made for them to make a formal application for a sex establishment licence.

## Section 9 Enforcement

### 9. Enforcement principles

- 9.1 The council will work closely with partners in accordance with a locally established joint enforcement protocol and will aim to promote the licensing objectives by targeting known high risk premises following government guidance around better regulation.
- 9.2 In carrying out its enforcement duties with regards to the inspection of premises; and the powers to institute criminal proceedings in respect of certain offences under the Act the council will endeavour to be:
- **proportionate:** regulators should only intervene when necessary, remedies should be appropriate to the risk posed, and costs identified and minimised;
  - **accountable:** regulators must be able to justify decisions, and be subject to public scrutiny;
  - **consistent:** rules and standards must be joined up and implemented fairly;
  - **transparent:** regulators should be open, and keep regulations simple and user friendly; and
  - **targeted:** regulation should be focused on the problem, and minimise side effects.
- 9.3 The council will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 9.4 The council will also adopt a risk-based inspection programme in line with government recommendations around better regulation and the principles of the Hampton Review.
- 9.5 The main enforcement and compliance role for the council in terms of the Local Government (Miscellaneous Provisions) Act 1982 as amended will be to ensure compliance with the conditions placed upon the licence.
- 9.6 The council will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.
- 9.7 The council's enforcement/compliance protocols/written agreements will be available upon request.

## Appendix 1 Standard Conditions

These conditions may be dispensed with, added to or modified by the council. Where, in these conditions, there is a reference to the consent of the council being required, the consent may include terms, conditions and restrictions as appropriate.

### Sexual Entertainment Venues

#### General

1. Unless stated otherwise, the licence hereby granted will operate for one year from the date on the licence, after which it will cease to be in effect unless an application for renewal is submitted in the manner prescribed by the council.
2. The licence may be revoked by the council if at any time the holder is convicted of an offence of using the licensed premises, or other premises for which a similar licence has been granted, other than in accordance with the terms, conditions or restrictions of the licence or is convicted of any offence under any enactment defined in paragraph 1 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 as amended.
3. The licensee will provide (subject to the satisfaction of both the police and the licensing authority), a code of practice for entertainers and code of conduct for customers, and these must be made available upon request to both the police and authorised officers.
4. All rules (code of practice for entertainers, code of conduct for customers, dispersal policies etc) to be prominently displayed on the premises.
5. Price lists will be clearly displayed at each table and at each entrance to the premises.
6. All rules and price lists as described in conditions 4 and 5 must be printed in a manner which is clear and easy to read during the normal operation of the premises.
7. Suitable and sufficient training is to be provided to all staff including the responsible person as described in condition 28. The training of all staff is to be recorded and the training record must be made available upon request to both the police and authorised officers.
8. The name of the premises must be approved by the council in writing. Any change to the name of the premises must be approved by the council in writing.

#### Exhibition of the licence

9. The licence, or a clear copy, will be prominently displayed at all times so as to be readily and easily seen by all persons using the premises, the police, the fire authority and authorised officers of the council. A copy of the conditions attached to the licence will be kept on the premises and be available for inspection by an authorised officer of the council, or the police or fire authority.

#### Hours of opening

10. The premises will only be open to the public during the following hours:

Monday	Friday
Tuesday	Saturday
Wednesday	Sunday
Thursday	

### Conduct on the premises

11. Entertainers will only perform on the stage area, or in booths/areas for VIPs as identified on the plan attached to the licence.
12. Relevant entertainment will only be performed by the entertainer. There must be no audience participation.
13. There must be no physical contact between entertainers.
14. Customers will not touch the breasts or genital area of entertainers. Entertainers will not directly or indirectly touch the breasts or genital area of customers.
15. Any performance will be restricted to dancing and the removal of clothes. There will not be any other form of sexual activity or stimulation which, for the avoidance of doubt, includes kissing.
16. Sex toys must not be used and penetration of the genital area by any means must not take place.
17. Customers will not be permitted to throw money at the entertainers.

### External appearance

18. There will be a notice displayed inside each entrance or doorway to the premises, clearly visible on entering the premises, which states the following:

<p><b>ADULT ENTERTAINMENT</b></p> <p><b>STRICTLY NO ADMITTANCE TO PERSONS UNDER 18 YEARS OF AGE</b></p> <p>THIS PREMISES OPERATES A CHALLENGE 25 POLICY PERSONS UNDER THE AGE OF 25 WILL BE REQUIRED TO SHOW PROOF OF AGE</p>
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19. The external appearance of the premises must be approved by the council in writing.
20. Any change to the external appearance must be approved by the council. The operator must advise of any change in writing including a drawing of the existing and proposed street elevation. This must be approved by the council before work is undertaken.
21. Access to the licensed area of the premises should be through a lobby area which is constructed in such a way that the inside of the licensed premises where relevant entertainment takes place is not visible to passing members of the public when the doors of the premises are opened.
22. Signage will only be illuminated between 10pm and 6am, and movable signs placed outside the premises will be removed between 6am and 10pm.

### Advertising

23. Any written, visual or auditory advertisement material, posters, signage or window display must not be of a sexually explicit or suggestive nature, will not contain images or text of a sexually explicit, obscene or offensive nature and must be approved by the council in writing.

24. Leafleting/distribution of flyers will only be permitted in such a way where it does not cause public offence. This is regulated by the paid permit system authorising distribution of free printed material issued by Leeds City Council. The licensee will remove any leaflets from the Highways within a 100 metre radius of the premises by 6am. The licensee will have a flyer distribution policy to be approved by the Council.

#### Layout of premises

25. No access will be permitted through the premises to any other adjoining or adjacent premises except in the case of an emergency.
26. No alterations (including temporary alterations) will be made to the structure and installations on the premises, without the prior written consent of the council. This condition will not require notice to be given in respect of routine maintenance works. Where there is any doubt the licensee should seek advice from the council.

#### Management of the premises

27. The licensee, or a responsible person nominated by him in writing for the purpose of managing the venue ("the manager") will have personal responsibility for and be present on the premises whilst relevant entertainment is being performed. Any such nomination will be produced on demand to an authorised officer of the council or the police.
28. The licensee will ensure that any person nominated by him under the above:
  - a) has been provided with a copy of the conditions relating to the premises and is fully conversant with them; and
  - b) is in possession of a written nomination referred to above at all times when they are in charge of and present on the premises.
29. The name of the person responsible for the management of the premises, whether the licensee or manager, will be displayed in a conspicuous position within the premises throughout the period during which he is responsible for the conduct of the premises.
30. 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 will be notified in writing to the council within 14 days of such a change. Such details as the council may require in respect of the change of personnel will be furnished within 14 days of a request in writing from the council.
31. Where the licensee, director, company secretary, or responsible person nominated for the purpose of managing the venue ("the manager"), is convicted of an offence, they must, as soon as practicable after the conviction, inform the council of the conviction giving details of the nature and date of the conviction, and any sentence imposed.
32. The licensee will retain control over all parts of the premises and will not let, licence or part with possession of any part of the premises. The council must be notified immediately 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.
33. The licensee will ensure that the public is not admitted to any part or parts of the premises that has not been approved by the council.
34. No persons under the age of 18 will be admitted to the premises.

35. The licensee will operate a Challenge 25 age verification policy. People under the age of 25 will be required to show proof of ID. A notice to this effect, in accordance with condition 18 will be displayed on the premises.
36. The licence holder will not employ any person under the age of 18 in any capacity.

#### Safety and security

37. A suitable CCTV system will be operational on the premises at all times when licensed activities are being carried out. The system will cover all public areas including booths and corridors but not including staff changing rooms or toilets. The system will conform to West Yorkshire Police guidelines (as attached to the licence) in respect of business related CCTV equipment. It will be adequately maintained and be capable of transporting recorded material onto removable media.
38. The siting of the CCTV system will be agreed with West Yorkshire Police prior to installation and will comply with that agreement at all times. Changes to the siting and standard of CCTV systems may only be made with the written consent of West Yorkshire Police.
39. CCTV security footage will be made secure and retained for a minimum period of 31 days time to the satisfaction of West Yorkshire Police. CCTV footage will be supplied to the police and authorised officers of the Council on request.
40. At all times that the premises are open to the public there will be a member of staff on duty who is conversant with operating the CCTV system and who is able to download immediately any footage requested by the police or an officer from the licensing authority or authorised agent.
41. Suitable numbers of SIA registered door staff (numbers to be subject to police and licensing authority approval) will be present on the premises during the performance of relevant entertainment.

#### Staff welfare

42. Entertainers will be aged no less than 18 years.
43. All premises that provide relevant entertainment will be expected to provide new entertainers with a pack of information. This pack will include:
  - a) A copy of the Sex Establishment Licence, including the conditions applied by the Licensing Committee.
  - b) Details of any other conditions applied by management of the premises
  - c) Details of how to report crime to the relevant authority
  - d) Details of insurance (public liability/personal)
  - e) Details of unions, trade organisations or other bodies that represent the interests of dancers/entertainers
  - f) A copy of the code of practice for entertainers
  - g) A copy of the code of conduct for customers
  - h) Fining policy
  - i) Pricing policy
44. The information provided in the pack will be provided in the dressing rooms.
45. All booths/areas for VIPs used for private dances must be visible to supervision and must not have closing doors or curtains that prevent performances from being observed.



46. All booths/areas for VIPs used for private dances must be directly supervised by either a SIA registered door supervisor, or a member of staff who has direct contact with SIA registered door supervisors working on the premises at all times the booths/areas are in use. Direct supervision does not include remote supervision by CCTV.
47. Entertainers will only be present in the licensed area in a state of nudity when they are performing on stage or providing a private dance.
48. Any person on the premises who can be observed from outside the premises will be properly and decently dressed.
49. The licensee will ensure entertainers have secure dressing rooms, facilities to secure valuables and proper sanitation facilities available to them.
50. The management will maintain a register which details any fines imposed on entertainers which will include the date, type of misdemeanour and amount fined.

#### Vessels, stalls and vehicles

51. Vehicles will not be used to obtain custom by means of personal solicitation or touting in such a way that causes concern or offence to the public or the licensing authority.
52. Any vehicle used to advertise the premises must comply with the advertising conditions. All forms of advertising on vehicles must be approved by the council prior to use.
53. Vehicles used to transport customers to or from the premises may require a licence issued by Leeds City Council Taxi and Private Hire Licensing or the Department for Transport. Details of any vehicles brought into service must be notified to the council in writing and details of any relevant licence issued by Leeds City Council Taxi and Private Hire Licensing, or the Department for Transport must be produced in advance of the vehicle being used.

#### Variation of conditions

54. The council may, at the time of grant or renewal of the licence, waive, modify or vary these conditions or impose additional conditions as appropriate.
55. The licensee may apply to the council to vary any of the terms of the licence.
56. Applications to vary conditions of the licence must be advertised by the licensee in the same manner as the application for the issue, renewal or transfer of the licence.

## SEX SHOPS

### General

1. Unless stated otherwise, the licence hereby granted will operate for one year from the date on the licence, after which it will cease to be in effect unless an application for renewal is submitted in the manner prescribed by the council.
2. The licence may be revoked by the council if at any time the holder is convicted of an offence of using the licensed premises, or other premises for which a similar licence has been granted, other than in accordance with the terms, conditions or restrictions of the licence or is convicted of any offence under any enactment defined in paragraph 1 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 as amended.
3. The name of the premises must be approved by the council in writing. Any change to the name of the premises must be approved by the council in writing.

### Exhibition of licence

4. The licence, or a clear copy, will be prominently displayed at all times so as to be readily and easily seen by all persons using the premises, the police, the fire authority and authorised officers of the council. A copy of the conditions attached to the licence will be kept on the premises and be available for inspection by an authorised officer of the council, or the police or fire authority.

### Hours of opening

5. The premises will only be open to the public during the following hours:

Monday	Friday
Tuesday	Saturday
Wednesday	Sunday
Thursday	

### Conduct on the premises

6. The licensee, or any other person concerned in the conduct or management of the premises, will only obtain custom by means of personal solicitation or touting from the premises in such a way that it does not cause concern to the public or the licensing authority. All literature used will not contain images or text of a sexually explicit, obscene or offensive nature.

### External appearance

7. There will be a notice displayed on each entrance or doorway to the premises which states the following:

**STRICTLY NO ADMITTANCE TO PERSONS UNDER 18 YEARS OF AGE**

THIS PREMISES OPERATES A CHALLENGE 25 POLICY  
PERSONS UNDER THE AGE OF 25 WILL BE REQUIRED TO SHOW PROOF OF AGE

8. The external appearance of the premises must be approved by the council in writing.
9. Any change to the external appearance must be approved by the council. The operator must advise of any change in writing including a drawing of the existing and proposed

street elevation. This must be approved by the council before work is undertaken.

10. The frontage of the licensed premises will be of such a nature that the inside of the licensed premises are not visible and the contents of the licensed premises should not be visible when the doors of the licensed premises is open.
11. There will be no illuminated or protruding signs fixed to the premises and no signs placed outside the premises.

#### Advertising

12. Any written, visual or auditory advertisement material, posters, signage or window display must not be of a sexually explicit or suggestive nature, will not contain images or text of a sexually explicit, obscene or offensive nature and must be approved by the council in writing.
13. Leafleting/distribution of flyers will only be permitted in such a way where it does not cause public offence. This is regulated by the paid permit system authorising distribution of free printed material issued by Leeds City Council. The licensee will remove any leaflets from the highways within a 100 metre radius of the premises. The licensee will have a flyer distribution policy to be approved by the council.

#### Layout of premises

14. No access will be permitted through the premises to any other adjoining or adjacent premises except in the case of an emergency.
15. No alterations (including temporary alterations) will be made to the structure and installations on the premises without the prior written consent of the council. This condition will not require notice to be given in respect of routine maintenance works. Where there is any doubt the licensee should seek advice from the council.

#### Management of the premises

16. The licensee, or a responsible person nominated by him in writing for the purpose of managing the venue ("the manager"), will have personal responsibility for and be present on the premises whilst the premises are open to the public. Any such nomination will be produced on demand to an authorised officer of the council or the police.
17. The licensee holder will ensure that any person nominated by him under the above:
  - a) has been provided with a copy of the conditions relating to the premises and is fully conversant with them; and
  - b) is in possession of a written nomination referred to above at all times when they are in charge of and present on the premises.
18. 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 will be notified in writing to the council within 14 days of such a change. Such details as the council may require in respect of the change in personnel will be furnished within 14 days of a request in writing from the council.
19. The licensee will retain control over all parts of the premises and will not let, licence or part with possession of any part of the premises. The council must be notified immediately 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.
20. The licensee will ensure that the public is not admitted to any part or parts of the

premises that has not been approved by the council.

21. The holder of the licence will keep a record of all employees who are asked to work on the premises which will include their full name, date of birth, current and previous address and any convictions recorded against that person (subject to the Rehabilitation of Offenders Act 1984).
22. An authorised and certified copy of the full personal record or a record of an individual will be produced on demand to an authorised officer of the council or the police.
23. No persons under the age of 18 will be admitted to the premises.
24. The licensee will operate a Challenge 25 age verification policy and people under the age of 25 will be required to show proof of ID. A notice to this effect in accordance with condition 8 will be displayed on the outside of the premises.
25. The licence holder will not employ any person under the age of 18 in any capacity.

#### Video recordings

26. No moving picture will be provided on display at the licensed premises unless it is that of advertising videos on a loop system or allowing a prospective purchaser a short preview of films upon request, being no longer than 3 minutes in length.
27. Items sold, supplied for hire, exchange or used in any promotion/advertising must not contravene any current legislation i.e. Section 12 Video Recordings Act 1984, (as amended).

#### Vessels, stalls and vehicles

28. Vehicles will not be used to obtain custom by means of personal solicitation or touting in such a way that causes concern or offence to the public or the licensing authority.
29. Any vehicle used to advertise the premises must comply with the advertising conditions. All forms of advertising on vehicles must be approved by the council.
30. Vehicles used to transport customers to or from the premises may require a licence issued by Leeds City Council Taxi and Private Hire Licensing or the Department for Transport. Details of any vehicles brought into service must be notified to the council in writing and details of any relevant licence issued by Leeds City Council Taxi and Private Hire Licensing, or the Department for Transport must be produced in advance of the vehicle being used.

#### Variation of conditions

31. The council may, at the time of grant or renewal of the licence, waive, modify or vary these conditions or impose additional conditions as appropriate.
32. The licensee may apply to the council to vary any of the terms of the licence.
33. Applications to vary conditions of the licence must be advertised by the licensee in the same manner as the application for the issue, renewal or transfer of the licence.

## SEX CINEMAS

### General

1. Unless stated otherwise, the licence hereby granted will operate for one year from the date on the licence, after which it will cease to be in effect unless an application for renewal is submitted in the manner prescribed by the council.
2. The licence may be revoked by the council if at any time the holder is convicted of an offence of using the licensed premises, or other premises for which a similar licence has been granted, other than in accordance with the terms, conditions or restrictions of the licence or is convicted of any offence under any enactment defined in paragraph 1 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 as amended.
3. The name of the premises must be approved by the council in writing. Any change to the name of the premises must be approved by the council in writing.

### Exhibition of licence

4. The licence, or a clear copy, will be prominently displayed at all times so as to be readily and easily seen by all persons using the premises, the police, the fire authority and authorised officers of the council. A copy of the conditions attached to the licence will be kept on the premises and be available for inspection by an authorised officer of the council, or the police or fire authority.

### Hours of opening

5. The premises will only be open to the public during the following hours:

Monday	Friday
Tuesday	Saturday
Wednesday	Sunday
Thursday	

### Conduct on the premises

6. The licensee, or any other person concerned in the conduct or management of the premises, will only obtain custom by means of personal solicitation or touting from the premises in such a way that it does not cause concern to the public or the licensing authority. All literature used will not contain images or text of a sexually explicit, obscene or offensive nature.

### External appearance

7. There will be a notice displayed on each entrance or doorway to the premises which states the following:

**STRICTLY NO ADMITTANCE TO PERSONS UNDER 18 YEARS OF AGE**

THIS PREMISES OPERATES A CHALLENGE 25 POLICY  
PERSONS UNDER THE AGE OF 25 WILL BE REQUIRED TO SHOW PROOF OF AGE

8. The external appearance of the premises must be approved by the council in writing.
9. Any change to the external appearance must be approved by the council. The operator must advise of any change in writing including a drawing of the existing and proposed

street elevation. This must be approved by the council before work is undertaken.

10. The frontage of the licensed premises will be of such a nature that the inside of the licensed premises are not visible and the contents of the licensed premises should not be visible when the doors of the licensed premises is open.
11. There will be no illuminated or protruding signs fixed to the premises and no signs placed outside the premises.

#### Advertising

12. Any written, visual or auditory advertisement material, posters, signage or window display must not be of a sexually explicit or suggestive nature, will not contain images or text of a sexually explicit, obscene or offensive nature and must be approved by the council in writing.
13. Leafleting/distribution of flyers will only be permitted in such a way where it does not cause public offence. This is regulated by the paid permit system authorising distribution of free printed material issued by Leeds City Council. The licensee will remove any leaflets from the highways within a 100 metre radius of the premises. The licensee will have a flyer distribution policy to be approved by the council.

#### Layout of premises

14. No access will be permitted through the premises to any other adjoining or adjacent premises except in the case of an emergency.
15. No alterations (including temporary alterations) will be made to the structure and installations on the premises without the prior written consent of the council. This condition will not require notice to be given in respect of routine maintenance works. Where there is any doubt the licensee should seek advice from the council.

#### Management of the premises

16. The licensee, or a responsible person nominated by him for the purpose of managing the venue ("the manager"), will have personal responsibility for and be present on the premises whilst the premises are open to the public. Any such nomination will be produced on demand to an authorised officer of the council or the police.
17. The licensee holder will ensure that any person nominated by him under the above:
  - a) has been provided with a copy of the conditions relating to the premises and is fully conversant with them; and
  - b) is in possession of a written nomination referred to above at all times when they are in charge of and present on the premises.
18. 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 will be notified in writing to the council within 14 days of such a change. Such details as the council may require in respect of the change in personnel will be furnished within 14 days of a request in writing from the council.
19. The licensee will retain control over all parts of the premises and will not let, licence or part with possession of any part of the premises. The council must be notified immediately 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.
20. The licensee will ensure that the public is not admitted to any part or parts of the

premises that has not been approved by the council.

21. The holder of the licence will keep a record of all employees who are asked to work on the premises which will include their full name, date of birth, current and previous address and any convictions recorded against that person (subject to the Rehabilitation of Offenders Act 1984).
22. An authorised and certified copy of the full personal record or a record of an individual will be produced on demand to an authorised officer of the council or the police.
23. No persons under the age of 18 will be admitted to the premises.
24. The licensee will operate a Challenge 25 age verification policy and people under the age of 25 will be required to show proof of ID. A notice to this effect in accordance with condition 8 will be displayed on the outside of the premises.
25. The licence holder will not employ any person under the age of 18 in any capacity.

#### Vessels, stalls and vehicles

26. Vehicles will not be used to obtain custom by means of personal solicitation or touting in such a way that causes concern or offence to the public or the licensing authority.
27. Any vehicle used to advertise the premises must comply with the advertising conditions. All forms of advertising on vehicles must be approved by the council.
28. Vehicles used to transport customers to or from the premises may require a licence issued by Leeds City Council Taxi and Private Hire Licensing or the Department for Transport. Details of any vehicles brought into service must be notified to the council in writing and details of any relevant licence issued by Leeds City Council Taxi and Private Hire Licensing, or the Department for Transport must be produced in advance of the vehicle being used.

#### Variation of conditions

29. The council may, at the time of grant or renewal of the licence, waive, modify or vary these conditions or impose additional conditions as appropriate.
30. The licensee may apply to the council to vary any of the terms of the licence.
31. Applications to vary conditions of the licence must be advertised by the licensee in the same manner as the application for the issue, renewal or transfer of the licence.

## Appendix 2 Application Forms and Notices

### **SE1 Application for the grant of a sex establishment licence 33**

This application form is for the grant of a new sex establishment licence. This should be completed by the proposed licensee.

### **SE2 Application for renewal of a sex establishment licence 43**

This application form is for the annual renewal of an existing sex establishment licence.

### **SE3 Application for transfer of a sex establishment licence 48**

This application form allows the current licence holder to transfer the licence to another party.

### **SE4 Application for variation of a sex establishment licence 52**

This application form allows the current licence holder to vary the terms of an existing licence.

### **SE5 Information on Individuals 58**

This form provides information about the applicant, their partners, the manager of the premises and the relief manager.

### **SE6 Example notice of application for a sex establishment licence 60**

This is an example notice to advertise the application. The wording is suitable for the site notice and the newspaper advertisement. The notice does not have to be in this exact form but must include the wording.

### **SE7 Standard declaration 61**

This standard declaration provides the wording the applicant should use to confirm that they have met the statutory requirement in relation to advertisement.

These forms are subject to change. The latest forms and guidance are available on the Leeds City Council website [www.leeds.gov.uk](http://www.leeds.gov.uk) or from Entertainment Licensing. Please contact Entertainment Licensing before making your application.



Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

**APPLICATION FOR THE GRANT OF A SEX ESTABLISHMENT LICENCE**  
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 AS AMENDED

**Please read the following instructions**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

**Sexual Entertainment Venue**

**Sex Shop**

**Sex Cinema**

**APPLICANT DETAILS**

1. Is the applicant:
- An individual (please answer questions 2, 5 to 9)
  - A company or other corporate body (please answer questions 3, 5 to 9)
  - A partnership or other unincorporated body (please answer questions 4, 5 to 9)

2. Full name of applicant (individual):  
Former or previous names:  
Home address:  
  
Post town: Post code:  
Telephone numbers:  
Date of Birth:

3 Name of applicant (company name):  
Address of registered or principal office:  
  
Post town: Post code:  
Registration number:

4. Name and address of applicant:  
  
Names and addresses of applicant's partners (please use additional sheet):

<p>5. Are there any other persons responsible for the management of the premises/business other than the partners? Please state their names and addresses:</p>
<p>6. a. Has the applicant ever been known by any other name? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>b. Has the applicant ever been convicted of a criminal offence? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>c. Has the applicant ever been refused a sex establishment licence? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>d. Has the applicant ever had a sex establishment licence revoked? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>e. Has the applicant ever been served with a winding up petition? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If the answer to any of these questions is yes, please provide details:</p>
<p>7. Applicants' trading address or head office (other than the premises)</p>
<p>8. Will the business for which this a licence is sought be carried on for the benefit of a person other than the applicant? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If the answer is yes, state the name, address, place of registration, registered number and the identity of all directors, company secretary and those with a greater than 10% shareholding.</p>

9. Does the applicant operate any other sex establishments, licensed or otherwise? Please state name, address, and type of sex establishment of each.

**PREMISES DETAILS**

10. Please state the name the business will be known as:

11. Is the premises a  Building  Vehicle  Vessel  Stall

12. Where is it proposed to use the vehicle, vessel or stall?

13. Does the company propose to only operate on the internet? (answer Q14 to 19 only) YES  NO

14. Premises address

Post town Post code

Telephone number at premises

15. Which part of the premises is to be used as a sex establishment?

16. Is the applicant  owner  lessee  sub-lessee  other

17. If the applicant is rents the property state:

a. Name and address of landlord

b. Name and address of the superior landlord:

<p>c. Total annual rental:</p> <p>d. Length of unexpired term:</p> <p>e. Notice required to terminate tenancy:</p>	
<p>18. Please provide details of the building management company (if appropriate):</p>	
<p>19. State the current use of the premises:</p>	
<p>20. Has planning permission, or a certificate of lawful use, been obtained for the use of the proposed premises?</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>
<p>21. Can member of the public access the premises:</p>	
<p>a. Directly from the street?</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>
<p>b. From other premises?</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>
<p>c. Not at all? (internet sales only)</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>
<p>22. a. Numbers of door supervisors:</p> <p>b. Hours door supervision in place:</p>	
<p>23. Are the premises currently being used as a sex establishment? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>Please provide details of the business currently operating the business:</p>	

OPERATING SCHEDULE									
<p>24. Opening hours: (If internet sales only please tick here <input type="checkbox"/> and continue to Q23)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Monday</td> <td style="width: 50%;">Friday</td> </tr> <tr> <td>Tuesday</td> <td>Saturday</td> </tr> <tr> <td>Wednesday</td> <td>Sunday</td> </tr> <tr> <td>Thursday</td> <td></td> </tr> </table>		Monday	Friday	Tuesday	Saturday	Wednesday	Sunday	Thursday	
Monday	Friday								
Tuesday	Saturday								
Wednesday	Sunday								
Thursday									
<p>25. Has the applicant entered into any written or oral agreement in connection with the business, for example a management agreement, partnership agreement or profit share arrangement? Please provide details YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>a. Please provide details of any lender, mortgage or others providing finance:</p>									

b. Please provide details of any merchandising agreements:

**Premises management**

26. Please state the name of the person who will be in day to day control of the premises (the manager).

.....

a. Will the manager be based at the premises YES  NO

b. Will the management of the premises be the manager's sole occupation YES  NO

27. Who will be in control of the premises in the manager's absence (relief manager)?

.....

a. Will the relief manager be based at the premises in the absence of the manager? YES  NO

If you have ticked no to any of the above, please provide details

**External appearance and advertising**

28. Please describe the proposed exterior signage and advertising. Please include nature, content and size of each sign and any images to be used:

Please note that a drawing of the front elevation is required to be submitted with this application

29. Please describe how the interior of the premises is obscured to passers by:

30. Please describe any proposed window displays:

31. Please describe how the business is to be advertised, i.e. business cards, billboard advertising, personal solicitation, advertising on motor vehicles, radio or television advertising:

**Policies and Operating Schedule**

32. Please provide details of the age verification policy:

33. Please provide details of the CCTV arrangements:

34. State measures to be taken to prevent nuisance to residents and businesses in the vicinity:

35. State measures to be taken to promote public safety:

36. State measures to be taken to prevent crime and disorder:

<p>37. State measures to be taken to protect children from harm:</p>
<p>38. State measures to ensure employees age and right to work in the UK:</p>
<p>39. Describe training and welfare policies:</p>

<p><b>Applications for Sexual Entertainment Venues Only</b></p>	
<p>40. Is the proposal for full nudity?</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>
<p>41. Describe the nature of the entertainment, e.g. lap-dancing, pole dancing, stage strip-tease:</p>	

42. Please enclose a copy of the code of practice entertainers must abide by (or equivalent document), and describe how entertainers will be monitored to ensure compliance:
43. Please enclose a copy of the code of conduct customers must abide by (or equivalent document), and describe how customers will be monitored to ensure compliance:
44. Please enclose a copy of the welfare policy for performers (or equivalent document).
45. Does the business intend to provide vehicles to transport customers or performers to and from the premises? YES <input type="checkbox"/> NO <input type="checkbox"/> Please enclose copies of the relevant licences issued by Taxi and Private Hire Licensing.

<b>Further information</b>
46. Please set out any further information you wish the authority to take into account.
47. Is there any information on this form you do not wish to be seen by members of the public? If so state which information and the reasons why you do not wish it to be seen.



**CHECKLIST & ENCLOSURES**

**Enclosures**

I have made or enclosed payment of the fee

I have enclosed three sets of plans of the premises

I have enclosed a drawing of the street elevation of the premises

I have enclosed a completed form SE5 for each person mention in Q2, 3, 4, and 8

I have enclosed a completed form SE5 for the Manager and Relief Manager (Q26 & 27)

I have enclosed a copy of the company's staff welfare policy

I have enclosed a copy of the code of practice for entertainers (if appropriate)

I have enclosed a copy of the code of conduct for customers (if appropriate)

I have enclosed a copy of the Dancers Welfare Pack (if appropriate)

I have enclosed a copy of the licences for vehicles used in connection with the business (if appropriate).

**Advertisement**

I declare that I have served notice of this application on West Yorkshire Police.

I declare that a public notice advertising this application has today been displayed upon the proposed premises where it may be conveniently read by the public and will remain thereon for a period of 21 days. A copy of the notice (SE6) and the standard declaration (SE7) is enclosed.

I declare that within seven days of the date of this application a public notice advertising this application will be publicised in the legal notices column of the local press.

A copy of the relevant press edition will be forwarded to Entertainment Licensing

I understand that if I do not comply with the above requirements my application will be rejected

Leeds City Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on your application 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.

Any person who, in connection with an application for a grant, renewal or transfer of a sex establishment licence, makes a false statement which he knows to be false in any material respect of which he does not believe to be true is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000

**SIGNATURES**

**Signature of applicant or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant please state in what capacity.**

Signature .....

Date .....

Capacity .....

<b>Contact Name (where not previously given) and address for correspondence associated with this application</b>	
<b>Post town</b>	<b>Post code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>	

### Guidance Notes

1. Please return this completed application form to:  
  
Entertainment Licensing Department  
Civic Hall  
LEEDS  
LS1 1UR
2. Please make cheques/postal orders payable to Leeds City Council.
3. The fee for the grant of a new sex establishments is **£2,800**
4. The applicant is responsible for serving notice of this application on the Licensing Officer, West Yorkshire Police, Millgarth Police Station, Millgarth Street, Leeds LS2 7HX.
5. Copies of this application will be forwarded to West Yorkshire Fire Service who will assess the application and inspect the premises, if necessary, to provide observations in relation to the structure, safety and suitability of the building for the purpose intended.
6. Furthermore, details of this application will be forwarded to the local Ward Members.
7. Requirements for layout plan  
The plan must show:
  1. The layout of the premises including, e.g. stage, bars, cloakroom, WCs, performance area, dressing rooms.
  2. The extent of the boundary of the premises outlined in red
  3. The extent of the public areas outlined in blue
  4. Uses of different areas in the premises, e.g. performance areas, reception, staff facilities.
  5. Structures or objects (including furniture) which may impact on the ability of individuals to use exits or escape routed without impediment.
  6. Location of points of access to and egress from the premises.
  7. Any parts used in common with other premises.
  8. Position of CCTV cameras
  9. Where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor.
  10. The location of any steps, stairs, elevators or lifts.
  11. The location of any public conveniences, including disabled WCs.
  12. The location and type of any fire safety and other safety equipment.
  13. The location of the kitchen (if applicable).
  14. The location of emergency exits.

For further assistance or information please contact Entertainment Licensing on 0113 247 4095

Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

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

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 AS AMENDED

**Please read the following instructions**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

**Sexual Entertainment Venue**

**Sex Shop**

**Sex Cinema**

**APPLICANT DETAILS**

1. Is the applicant:
- An individual (please answer questions 2, 5 to 9)
  - A company or other corporate body (please answer questions 3, 5 to 9)
  - A partnership or other unincorporated body (please answer questions 4, 5 to 9)

2. Full name of applicant (individual):

Former or previous names:

Home address:

Post town:

Post code:

Telephone numbers:

Date of Birth:

3. Name of applicant (company name):

Address of registered or principal office:

Post town:

Post code:

Registration number:

4. Name and address of applicant:

Names and addresses of applicant's partners (please use additional sheet):

<p>5. Has there been any change to the persons responsible for the management of the premises/business other than the partners? Please state their names and addresses:</p>
<p>6. In the last 12 months (or since the licence was granted or last renewed):</p> <p>a. Has the applicant been convicted of a criminal offence? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>b. Has the applicant been refused a sex establishment licence? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>c. Has the applicant had a sex establishment licence revoked? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>d. Has the applicant been served with a winding up petition? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If the answer to any of these questions is yes, please provide details:</p>
<p>7. Will the business for which this renewal is sought be carried on for the benefit of a person other than the applicant? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If the answer is yes, state the name, address, place of registration, registered number and the identity of all directors, company secretary and those with a greater than 10% shareholding.</p>
<p>8. Has the applicant opened any other sex establishments, licensed or otherwise, in the last 12 months (or since the licence was last renewed)? Please state name, address, and type of sex establishment of each.</p>

## PREMISES DETAILS

9. Premises name and address

Post town

Post code

Telephone number at premises

10. State the names of those responsible for managing the premises:

## OPERATING SCHEDULE

11. Has the applicant entered into any new written or oral agreement in connection with the business since the grant of the licence, for example a management agreement, partnership agreement or profit share arrangement? Please provide details YES  NO

12. Please provide details of any lender, mortgage or others providing finance:

13. Please provide details of any merchandising agreements:

## Further information

14. Please set out any further information you wish the authority to take into account.

15. Is there any information on this form you do not wish to be seen by members of the public? If so state which information and the reasons why you do not wish it to be seen.

**CHECKLIST & ENCLOSURES**

<b>Enclosures</b>	
I have made or enclosed payment of the fee	<input type="checkbox"/>
I have enclosed a completed form SE5 for each person mention in Q2, 3, 4, and 8	<input type="checkbox"/>
I have enclosed a completed form SE5 for the Manager and Relief Manager (if changed)	<input type="checkbox"/>
<b>Advertisement</b>	
I declare that I have served notice of this application on West Yorkshire Police.	<input type="checkbox"/>
I declare that a public notice advertising this application has today been displayed upon the proposed premises where it may be conveniently read by the public and will remain thereon for a period of 21 days. A copy of the notice (SE6) and the standard declaration (SE7) is enclosed.	<input type="checkbox"/>
I declare that within seven days of the date of this application a public notice advertising this application will be publicised in the legal notices column of the local press.	<input type="checkbox"/>
A copy of the relevant press edition will be forwarded to Entertainment Licensing	<input type="checkbox"/>
I understand that if I do not comply with the above requirements my application will be rejected	<input type="checkbox"/>
Leeds City Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on your application 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.	
Any person who, in connection with an application for a grant, renewal or transfer of a sex establishment licence, makes a false statement which he knows to be false in any material respect of which he does not believe to be true is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000	

**SIGNATURES**

<b>Signature of applicant or applicant’s solicitor or other duly authorised agent. If signing on behalf of the applicant please state in what capacity.</b>	
Signature	.....
Date	.....
Capacity	.....
<b>Contact Name (where not previously given) and address for correspondence associated with this application</b>	
<b>Post town</b>	<b>Post code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>	

## Guidance Notes

1. Please return this completed application form to:  
  
Entertainment Licensing Department  
Civic Hall  
LEEDS  
LS1 1UR
2. Please make cheques/postal orders payable to Leeds City Council.
3. The fee for a renewal of a sex establishment licence is **£2,800**
4. The applicant is responsible for serving notice of this application on the Licensing Officer, West Yorkshire Police, Millgarth Police Station, Millgarth Street, Leeds LS2 7HX.
5. Copies of this application will be forwarded to West Yorkshire Fire Service who will assess the application and inspect the premises, if necessary, to provide observations in relation to the structure, safety and suitability of the building for the purpose intended.
6. Furthermore, details of this application will be forwarded to the local Ward Members.

For further assistance or information please do not hesitate to contact Entertainment Licensing on 0113 247 4095

Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

**APPLICATION FOR THE TRANSFER OF A SEX ESTABLISHMENT LICENCE**

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 AS AMENDED

**Please read the following instructions**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

**Sexual Entertainment Venue**

**Sex Shop**

**Sex Cinema**

**APPLICANT DETAILS**

1. Is the applicant:
- An individual (please answer questions 2, 5 to 9)
  - A company or other corporate body (please answer questions 3, 5 to 9)
  - A partnership or other unincorporated body (please answer questions 4, 5 to 9)

2. Full name of applicant:  
Former or previous names:  
Home address:

Post town : Post code:

Telephone numbers:

Date of Birth:

- 3 Name of applicant (company name):  
Address of registered or principal office:

Post town: Post code:

Registration number:

4. Name of applicant:  
Name of applicant's partners:



<p>5. Are there any other persons responsible for the management of the premises/business other than the partners? Please state their names:</p>
<p>6. a. Has the applicant been known by any other name? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>b. Has the applicant ever been convicted of a criminal offence? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>c. Has the applicant ever been refused a sex establishment licence? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>d. Has the applicant even had a sex establishment licence revoked? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>e. Has the applicant ever been served with a winding up petition? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If the answer to any of these questions is yes, please provide details:</p>
<p>7. Applicants' trading address or head office (other than the premises):</p>
<p>8. Will the business for which this a licence is sought be carried on for the benefit of a person other than the applicant? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If the answer is yes, state the name, address, place of registration, registered number and the identity of all directors, company secretary and those with a greater than 10% shareholding.</p>

9. Does the applicant operate any other sex establishments, licensed or otherwise? Please state name, address, and type of sex establishment of each.

**OPERATING SCHEDULE**

10. Please state the name and address of the business:

11. Has the applicant entered into any written or oral agreement in connection with the business, for example a management agreement, partnership agreement or profit share arrangement? Please provide details YES  NO

12. Please provide details of any lender, mortgage or others providing finance:

13. Please provide details of any merchandising agreements:

**Premises management**

14. Please state the name of the person who will be in day to day control of the premises (the manager).  
.....  
a. Will the manager be based at the premises YES  NO   
b. Will the management of the premises be the manager's sole occupation YES  NO

15. Who will be in control of the premises in the manager's absence (relief manager)?  
.....  
a. Will the relief manager be based at the premises in the absence of the manager? YES  NO   
If you have ticked no, please provide details

<b>Further information</b>
16. Please set out any further information you wish the authority to take into account.
17. Is there any information on this form you do not wish to be seen by members of the public? If so state which information and the reasons why you do not wish it to be seen.

<b>CHECKLIST &amp; ENCLOSURES</b>	
<b>Enclosures</b>	
I have made or enclosed payment of the fee	<input type="checkbox"/>
I have enclosed a completed form SE5 for each person mention in Q2, 3, 4, and 8	<input type="checkbox"/>
I have enclosed a completed form SE5 for the Manager and Relief Manager	<input type="checkbox"/>
<b>Advertisement</b>	
I declare that I have served notice of this application on West Yorkshire Police.	<input type="checkbox"/>
I declare that a public notice advertising this application has today been displayed upon the proposed premises where it may be conveniently read by the public and will remain thereon for a period of 21 days. A copy of the notice (SE6) and the standard declaration (SE7) is enclosed.	<input type="checkbox"/>
I declare that within seven days of the date of this application a public notice advertising this application will be publicised in the legal notices column of the local press.	<input type="checkbox"/>
A copy of the relevant press edition will be forwarded to Entertainment Licensing	<input type="checkbox"/>
I understand that if I do not comply with the above requirements my application will be rejected	<input type="checkbox"/>
Leeds City Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on your application 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.	
Any person who, in connection with an application for a grant, renewal or transfer of a sex establishment licence, makes a false statement which he knows to be false in any material respect of which he does not believe to be true is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000	

SIGNATURES	
<b>Signature of applicant or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant please state in what capacity.</b>	
Signature .....	
Date .....	
Capacity .....	
<b>Contact Name (where not previously given) and address for correspondence associated with this application</b>	
<b>Post town</b>	<b>Post code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>	

**Guidance Notes**

1. Please return this completed application form to:  
  
 Entertainment Licensing Department  
 Civic Hall  
 LEEDS  
 LS1 1UR
2. Please make cheques/postal orders payable to Leeds City Council.
3. The fee for the transfer of a sex establishment licence is **£2,800**
4. The applicant is responsible for serving notice of this application on the Licensing Officer, West Yorkshire Police, Millgarth Police Station, Millgarth Street, Leeds LS2 7HX.
5. Copies of this application will be forwarded to West Yorkshire Fire Service who will assess the application and inspect the premises, if necessary, to provide observations in relation to the structure, safety and suitability of the building for the purpose intended.
6. Furthermore, details of this application will be forwarded to the local Ward Members.

For further assistance or information please contact Entertainment Licensing on 0113 247 4095

Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

**APPLICATION FOR THE VARIATION OF A SEX ESTABLISHMENT LICENCE**  
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 AS AMENDED

**Please read the following instructions**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

**Sexual Entertainment Venue**

**Sex Shop**

**Sex Cinema**

**APPLICANT DETAILS**

1. Is the applicant:
- An individual (please answer questions 2, 5 to 9)
  - A company or other corporate body (please answer questions 3, 5 to 9)
  - A partnership or other unincorporated body (please answer questions 4, 5 to 9)

2. Full name of applicant:  
Former or previous names:  
Home address:  
  
Post town : Post code:  
Telephone numbers:  
Date of Birth:

3. Name of applicant (company name):  
Address of registered or principal office:  
  
Post town: Post code:  
Registration number:

4. Name of applicant:  
Name of applicant's partners:

**PREMISES DETAILS**

5. Please state the name and address of the business:

6. Please describe fully the nature of your variation:

7. Are you seeking to alter change or remove any standard conditions?  
Please provide details, including the condition number:

**Premises management**

8. Please state the name of the person who will be in day to day control of the premises (the manager).  
.....
- a. Will the manager be based at the premises YES  NO
- b. Will the management of the premises be the manager's sole occupation YES  NO
9. Who will be in control of the premises in the manager's absence (relief manager)?  
.....
- a. Will the relief manager be based at the premises in the absence of the manager? YES  NO
- If you have ticked no, please provide details

<b>Further information</b>
10. Please set out any further information you wish the authority to take into account.
11. Is there any information on this form you do not wish to be seen by members of the public? If so state which information and the reasons why you do not wish it to be seen.

**CHECKLIST & ENCLOSURES**

**Enclosures**

I have made or enclosed payment of the fee

I have enclosed three sets of plans of the premises (if appropriate)

I have enclosed a drawing of the street elevation of the premises (if appropriate)

I have enclosed a completed form SE5 for each person mention in Q2, 3, 4, 7 and 8

I have enclosed a completed form SE5 for the Manager and Relief Manager

**Advertisement**

I declare that I have served notice of this application on West Yorkshire Police.

I declare that a public notice advertising this application has today been displayed upon the proposed premises where it may be conveniently read by the public and will remain thereon for a period of 21 days. A copy of the notice (SE6) and the standard declaration (SE7) is enclosed.

I declare that within seven days of the date of this application a public notice advertising this application will be publicised in the legal notices column of the local press.

A copy of the relevant press edition will be forwarded to Entertainment Licensing

I understand that if I do not comply with the above requirements my application will be rejected

Leeds City Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on your application 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.

Any person who, in connection with an application for a grant, renewal or transfer of a sex establishment licence, makes a false statement which he knows to be false in any material respect of which he does not believe to be true is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000



SIGNATURES	
<b>Signature of applicant or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant please state in what capacity.</b>	
Signature .....	
Date .....	
Capacity .....	
<b>Contact Name (where not previously given) and address for correspondence associated with this application</b>	
<b>Post town</b>	<b>Post code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>	

**Guidance Notes**

1. Please return this completed application form to:  
Entertainment Licensing Department  
Civic Hall  
LEEDS  
LS1 1UR
2. Please make cheques/postal orders payable to Leeds City Council.
3. The fee for a variation of a sex establishment licence is **£900**
4. The applicant is responsible for serving notice of this application on the Licensing Officer, West Yorkshire Police, Millgarth Police Station, Millgarth Street, Leeds LS2 7HX.
5. Copies of this application will be forwarded to West Yorkshire Fire Service who will assess the application and inspect the premises, if necessary, to provide observations in relation to the structure, safety and suitability of the building for the purpose intended.
6. Furthermore, details of this application will be forwarded to the local Ward Members.

For further assistance or information please contact Entertainment Licensing on 0113 247 4095

Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

**INFORMATION ON INDIVIDUALS**

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 AS AMENDED

**Please read the following instructions**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

**PERSONAL DETAILS**

1. Name:	
2. Former name (if any):	
3. Position in relation to applicant (i.e. director, partner, manager):	
4. Date of Birth:	5. Gender:
5. Permanent address:	
6. If resident at this address for less than 3 years, state previous address:	
7. Have you been resident in the UK for longer than 6 months?	YES <input type="checkbox"/> NO <input type="checkbox"/>
8. Have you ever been disqualified from holding a sex establishment licence? Please give details	YES <input type="checkbox"/> NO <input type="checkbox"/>
9. Have you ever been involved in the management of a business, whether as a proprietor, director, company secretary, partner, manager, supervisor or otherwise which has had any of the following types of licence refused, refused on renewal reviewed or revoked?	
a. Sex establishment licence	YES <input type="checkbox"/> NO <input type="checkbox"/>
b. Licence for the supply of alcohol	YES <input type="checkbox"/> NO <input type="checkbox"/>
c. Licence for the provision of entertainment, whether sexual or otherwise	YES <input type="checkbox"/> NO <input type="checkbox"/>
d. Personal Licence under the Licensing Act 2003	YES <input type="checkbox"/> NO <input type="checkbox"/>
Please give details:	

10. Have you ever been convicted of a criminal offence, whether in the United Kingdom or elsewhere? YES  NO   
 If so, provide details of the date, convicting court, offence and penalty imposed.

11. To your knowledge, are you currently the subject of any criminal investigate? YES  NO   
 If so please give details

12. Have you ever had civil legal action taken against you? YES  NO   
 If so please give details

13. Have you ever been declared bankrupt or entered into an arrangement with creditors or an Individual Voluntary Arrangement?  
 If so please give details

14. Have you ever been disqualified from acting as a company director? YES  NO   
 If so please give details

15. Is there any other information which you believe the licensing authority would reasonably expect notice of, or you would like to licensing authority to take into account when considering information you supplied?  
 If so please give details

16. Is there any information in this form which you do not wish to be seen by members of the public? YES  NO   
 If so state which information and the reasons why you do not wish it to be seen.

Leeds City Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on your application 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.

Any person who, in connection with an application for a grant, renewal or transfer of a sex establishment licence, makes a false statement which he knows to be false in any material respect of which he does not believe to be true is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000

**SIGNATURES**

Signature .....

Date .....

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

## EXAMPLE NOTICE OF APPLICATION FOR A SEX ESTABLISHMENT LICENCE

Sexual Entertainment Venue / Sex Cinema / Sex Shop (delete as appropriate)

Application has today been made to **LEEDS CITY COUNCIL** in accordance with Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, for a grant/renewal/transfer/variation (delete as appropriate)

of a **SEX ESTABLISHMENT LICENCE** in respect of premises situated at:  
(insert address of premises)

To operate as a sexual entertainment venue  sex cinema  sex shop

Signature(s) of Applicant(s)

Dated:

Any objections to this application should be made in writing **no later than 28 days** after the above date to:

Entertainment Licensing  
Civic Hall  
LEEDS  
LS1 1UR

and also to the applicant:

Full name:

Address:

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

**STANDARD DECLARATION**

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

Sexual Entertainment Venue / Sex Cinema / Sex Shop

I/we

of

being the applicant, certify that I, on [date] .....,  
displayed a notice in the prescribed form in a conspicuous position on or near to  
the premises situated at:

Signature of applicant:

Date:

To be returned to:  
Entertainment Licensing  
Civic Hall  
LEEDS  
LS1 1UR

## Appendix 3 Contact details

**Leeds City Council  
Entertainment Licensing**  
Civic Hall  
Leeds LS1 1UR

T: 0113 247 4095  
F: 0113 224 3885  
[Entertainment.licensing@leeds.gov.uk](mailto:Entertainment.licensing@leeds.gov.uk)

Application form, plan, fee, policies, notices and  
declaration

**West Yorkshire Police**  
Robert Patterson  
Leeds District Licensing Officer  
Millgarth Police Station  
Leeds LS2 7HX

T: 0113 241 4023  
[bob.patterson@westyorkshire.pnn.police.uk](mailto:bob.patterson@westyorkshire.pnn.police.uk)

Notice of application